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ABSTRACT

This document presents a hearing on the reauthorization of the Juvenile Justice and Delinquency Prevention Act, H.R. 1801. Opening statements are given by Representatives Dale E. Kildee and Thomas J. Tauke. The hearing was held in Iowa and all witnesses giving statements are from Iowa. Witnesses include: (1) Alan Allbee, juvenile court referee, First Judicial District Court, West Union; (2) Gil Cerveny, juvenile justice specialist, Iowa Commission on Children, Youth and Families, Des Moines; (3) Betty Jean Clark, State representative, Rockwell; (4) Allison Fleming, chair, State Advisory Group for Juvenile Justice, Des Moines, accompanied by Ron Stehl, Iowa Juvenile Justice Advisory Council, Des Moines; (5) Julia Gentleman, State senator from Iowa; (6) Garry Hammond, Hillcrest Family Service, Dubuque; (7) Patricia M. Hendrickson, chief juvenile court officer, Seventh Judicial District Court, Davenport; (8) Earl Kelly, executive director, Orchard Place, Des Moines; (9) Bill McCarty, Executive director, Youth Homes, Inc., Iowa City; (10) Dale Patch, president, Iowa State Policeman's Association, West Des Moines; and (11) Jim Swaim, director, United Action for Youth, Iowa City. Additional prepared statements and materials are included. (ABL)

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H.R. 1801, TO REAUTHORIZE THE JUVENILE JUSTICE AND DELINQUENCY PREVENTION ACT

HEARING

BEFORE THE

SUBCOMMITTEE ON HUMAN RESOURCES

OF THE

COMMITTEE ON EDUCATION AND LABOR
HOUSE OF REPRESENTATIVES

ONE HUNDREDTH CONGRESS

FIRST SESSION

HEARING HELD IN DES MOINES, IA, DECEMBER 4, 1987

Serial No. 100–58

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HEARING ON H.R. 1801, TO REAUTHORIZE THE JUVENILE JUSTICE AND DELINQUENCY PREVENTION ACT

FRIDAY, DECEMBER 4, 1987

HOUSE OF REPRESENTATIVES,
SUBCOMMITTEE ON HUMAN RESOURCES,
COMMITTEE ON EDUCATION AND LABOR,
Des Moines, IA.

The subcommittee met, pursuant to notice, at 9:15 a.m., conference room. Department of Economic Development, 800 E. Grand Avenue, Des Moines, IA, Hon. Dale E. Kildee presiding.

Members present. Representatives Kildee and Tauke.

Staff present. Susan Wilhelm, staff director; Jeff McFarland, legislative counsel; and Carol Behrer, minority legislative associate.

Mr. KILDEE. Thank you for your patience.

As a school teacher, not a politician, I usually start on time. In real life, I was a school teacher. I am taking a long 23-year sabbatical in politics now.

The Subcommittee on Human Resources meets this morning in Des Moines, Iowa, for a hearing on the Reauthorization of the Juvenile Justice and Delinquency Prevention Act.

We really appreciate this nice weather you arranged for us here. We have not seen the sun for a long time. It is nice to come to Iowa and see that beautiful sun out there.

I have often stated that the role of government is to promote, protect, defend, and enhance human dignity, and the Juvenile Justice and Delinquency Prevention Act certainly helps to serve this purpose.

Since its original enactment in 1974, together with a title on Runaway Youth, the Act has promoted significant advances in the way we deal with at-risk youth.

The reason we came to Iowa is that Iowa, of course, has a strong record in assisting its families and youth. This was recently demonstrated by the Iowa Legislature, with the passage of legislation prohibiting the jailing of children.

I look forward now to seeing how this effort will affect and tie in with the Juvenile Justice and Delinquency Prevention Act, and while the JJDPA landmark legislation, it was written on Capitol Hill and not on Mount Sinai, and that is why we travel around the country to talk to people who are experts in the field to see how we can perhaps improve this bill, and we welcome all your comments on this.

I want to mention that the people of Iowa are, indeed, very fortunate in having someone like Tom Tauke representing them in Congress, and being the ranking minority member on this subcommittee.

Tom and I are of different political parties, but I am really pleased that he is the ranking minority member on the subcommittee. He is a first-class human being. Not only on this bill, but on all the bills under our jurisdiction, Tom and I seek whenever possible, which is usually the case, to take to the Floor a bill that we can defend together on that Floor. We seek accommodation rather than confrontation, and it is because I think we recognize we are serving people.

Tom shares with me that idea that government should promote, protect, defend and enhance human dignity. When you start from that principle, it is very easy to work together. If we had more people like Tom in the Congress, we could make much more progress in solving our national problems.

So, I appreciate the fact that he has asked us to come out here to Iowa, so we can again learn from the experts in the field out here.

Tom, do you have an opening statement?

Mr. TAUKE. Yes, I do, Mr. Chairman.

First, I want to thank you for coming to Iowa. It was not easy getting here because we almost missed our plane last night due to late votes in the Congress, but we did make it. I appreciate the time you have taken to spend the day here in the heartland with the great people of our state, to learn about how we are dealing with the juvenile justice problems here in Iowa.

I thank you also for your very kind comments. I hope that I can travel to Michigan some time in the not too distant future and say some very kind things about you, but I do want to say that it has been a great pleasure for me to work with you on the subcommittee. I have very much appreciated the opportunity to work with you not only because of your excellent legislative skills and leadership, but also because it has allowed me to get to know you better, and you are a very fine person and the kind of individual who, I think, we all want to have in the national government.

He not only brings to the government a very sound mind, but he also brings to government a very kind heart, and that is something that is especially important in the areas in which our subcommittee deals.

You indicated the bill that we are considering was not crafted on Mount Sinai, but it was Congress who made the policy and now we want today to hear from the implementors, and it reminds me a little bit of the fable of the hippopotamus who wandered out through the jungle. He was feeling a little romantic, as he wandered through the jungle, and after a few hours, his eyes settled on a very beautiful butterfly. As the story goes, the hippopotamus fell in love with the butterfly and he realized he had a problem, so he went to the wise old owl and he said, "Wise Old Owl, I have fallen in love with a butterfly. Now, what do I do?" And the Wise Old Owl said, "Well, there is only one thing you can do, you must become a butterfly." And the hippo felt satisfied momentarily and wandered back into the jungle, and he thought about that for awhile, and then he came back to the Wise Old Owl and said,

"Wise Old Owl, how do I turn myself into a butterfly?" And the Wise Old Owl said, "Listen, I just make policy, I don't implement it."

Well, we can make the policy, but we also need to make certain that it is well implemented and that is what we are trying to find out today.

Despite the fact that many people think Congress sits in its ivory tower all the time making decisions, we do make a serious effort, at least two of us do, to try to find out what is happening with the policies that we enact, and we hope today to allow those who are our witnesses to inform us of how the policy is working and what changes we should consider as we reauthorize this legislation.

I might just note a couple of things. First is that in organizing this hearing this morning, we have had great cooperation from many people, but I want to single out Gil Cerveny, who is a witness on our first panel, here this morning, and Ann Thompson, the Administrator of the Commission on Children, Youth and Families, which is a division of the Iowa Department of Human Rights. We thank you, Ann and Gil, for the great work that you did in making it possible for us to come here this morning.

Earlier this year, I was pleased to join Chairman Kildee in introducing H.R. 1801, the bill to reauthorize the Juvenile Justice and Delinquency Prevention Act, the Runaway and Homeless Youth Act, and the Missing Children's Assistance Act, for four additional years.

While the bill was introduced as a simple extension of current law, as it works its way through the committee process and the full House and Senate, it will undoubtedly be amended considerably. The valuable input we receive here today will help ensure that this process results in improvements in these laws.

We face some serious questions in this year's reauthorization of the act. High on the list is the jail removal mandate in current law. The Iowa Legislature, with the leadership of a couple of people here, Beje Clark and Julia Gentleman, was successful this last session in enacting legislation to comply with the Federal jail removal mandate.

I am looking forward to working with state officials to ensure that Iowa's eligibility for formula grant funds is determined as soon as possible and that the funds are awarded in a timely manner.

Other issues confronting the subcommittee related to this reauthorization include the allocation of funds among formula grants and special emphasis grants, conditions of confinement, high rates of minority incarceration, and the difficult problems of violent juvenile offenders and rising juvenile gang activity.

I look forward to working with Chairman Kildee and other members of the subcommittee, which does include Congressman Grandy from the 6th Congressional District here in Iowa, who, unfortunately, could not be here today.

Chairman Kildee is one of the Congress' leading proponents of programs serving children and youth, and his leadership and bipartisan approach to the process are highly valued.

So, thank you again, Dale, for coming here today and bringing your excellent staff with you.

Mr. KILDEE. Thank you very much, Tom.

Mr. TAUKE. I should also introduce Carol Behrer, who is the Minority Counsel on the Subcommittee, and who grew up as I did in the eastern end of the state, in Maquoketa, Iowa. She serves as the Minority Counsel to the Subcommittee on Human Resources, which is holding this hearing.

Mr. KILDEE. And Susan Wilhelm, who is a Michiganian.

Mr. TAUKE. Is that what you call them? Michiganian?

Mr. KILDEE. Well, we sometimes get called Michiganders.

And then Jeff McFarland is from Maryland, I believe, right? Maryland.

Our first panel to help us implement this morning consists of Gil Cerveny, Juvenile Justice Specialist for the Iowa Commission on Children, Youth and Families; Betty Jean Clark, Iowa State Representative. I spent ten years in the Michigan House of Representatives and half a term in the Michigan Senate on the way to the Congress, and Allison Fleming, Chair of the Iowa State Advisory Group for Juvenile Justice, accompanied by Ron Stehl.

So, if you want to proceed in the order that I introduced you: You may summarize your testimony. Your full written testimony will be made part of the record.

STATEMENT OF GIL CERVENY, JUVENILE JUSTICE SPECIALIST, IOWA COMMISSION ON CHILDREN, YOUTH AND FAMILIES, DES MOINES, IA

Mr. CERVENY. I would like to thank the members of the subcommittee for the opportunity to discuss Iowa's experience with the Juvenile Justice and Delinquency Prevention Act.

I have worked in the juvenile justice and child welfare system in the state for seventeen years and served on the State Juvenile Justice Advisory Council for five of those years.

I am currently the Juvenile Justice Specialist for the Division on Children, Youth and Families in the Department of Human Rights.

Iowa has participated in the Juvenile Justice and Delinquency Prevention Act since 1975. The twelve years since then does not seem like a long time, but the evolution of services in those twelve years has been remarkable. The influence in funding incentives in the Act have been a very integral part of the system improvements that have come about in that time.

While Iowa has a rich tradition of child welfare services, up until the seventies, these were primarily substitute care or out-of-the-home placement types of services. The—at that point in time, it was not unusual for youth to be placed out of the home or institutionalized for a variety of problems, truancy, running away, and things like promiscuous behavior or the old catch-all, incorrigible behavior.

Crisis services just simply had not developed to any great extent at that time yet. Adult jails were commonly used for the processing and custody point for runaways, homeless youth and a variety of problems. They were not used as a punitive measure but simply because resources did not yet exist.

The Act has provided a focus on family-centered and community-based programs. The availability of funds for start-up has been a

key factor in Iowa developing a continuum of youth services that can be responsive to youth in crisis as well as helping to protect public safety needs.

As an example, Iowa now has fifteen youth shelter care programs, the great majority of which either started with or greatly improved with JJ funds. These programs provide a network of first contact settings, where youth can hopefully be reunited with their family, where needs assessments can be done or at least preparation can be done for long-term placement.

Iowa also has four juvenile detention centers with a fifth that is presently being developed up in Northeast Iowa. All of these programs also began or have been approved with JJ funds.

With the categorical grant awards that were done this year, when those programs are implemented, eighty-five out of our ninety-nine programs will have access to in-home detention programming, which has proven to be a very cost-effective and simply effective alternative to use of jails.

The funds over the years have been used for a variety of things which I tried to illustrate in my written testimony, and has been very valuable for that system improvement in Iowa, but the task is no means completed at this point. With the legislation that you mentioned, prohibiting the placement of juveniles in adult jails, we are about to come into compliance with the jail removal mandate, but there is still much that needs to be done in the state in developing the alternative resources, particularly considering the rural nature of Iowa.

Particularly, transportation concerns and the immediate short-term custody kinds of resources need to be addressed.

While Iowa should be found to be in compliance, we are concerned with the present language in the Act to not fund states which are out of compliance, since this could remove incentive for those states to continue participation in the Act.

Perhaps alternatives, such as language requiring that the funds be used exclusively for jail removal until compliance is reached or something like this, could be considered.

We are also concerned that ending the six-hour and twenty-four hour exceptions as a schedule for 1989 may not be a realistic goal, particularly again for rural areas, given what is needed for program development.

Many gains have been made in the juvenile justice system, but continued direction from the federal level is needed to further develop the network of resources. The funds authorized by the Act are critical in this effort as they represent one of the few resources for program initiation.

Thank you.

[The prepared statement of Gil Cerveny follows:]

PREPARED STATEMENT OF GIL CERVENY

I would like to thank the members of this subcommittee for the opportunity to discuss Iowa's experience with the Juvenile Justice and Delinquency Prevention Act. My name is Gil Cerveny. I have worked in the juvenile justice and child welfare system in Iowa for seventeen years and served on the Juvenile Justice Advisory Council for 5 years. I am currently the Juvenile Justice Specialist for the Division on Children, Youth and Families in the Department of Human Rights.

Iowa has participated in the Juvenile Justice and Delinquency Prevention Act since 1975. The evolution of services in juvenile justice in the twelve years since then has been remarkable. The influence and funding incentive of the Act has been an integral part of this system improvement. In the mid-seventies, it was not unusual for youth to be institutionalized for truancy, running away, promiscuous behavior and incorrigible behavior. Adult jails were commonly used for the processing and custody point for runaway, homeless, disobedient or even neglected and abused youths. These facilities were used, not necessarily as a punitive measure, but because other resources did not yet exist. Also, at the time behavioral patterns were perceived as being characteristic of certain "types" of youth rather than as symptomatic responses to family violence, substance abuse, or emotional disturbance.

The Act has provided the focus for emphasis on family-centered and community-based programming. Additionally, the Act has provided the availability of funds for innovative program development. These factors have had a central role in the development of a continuum of youth services in Iowa that can be responsive to youth in crisis as well as to public safety needs. Iowa presently has fifteen youth shelter care programs, the great majority of which were started or improved with juvenile justice funds. These programs have proven to be a valuable network of "first contact" settings for youth in crisis. They provide family reunification services, needs assessment, or preparation for long-term placement. Iowa has four juvenile detention centers (with a fifth presently being developed) for the alleged juvenile offender who is potentially a threat to the community. All of these programs were started or improved with juvenile justice funds. When programs funded this year through Juvenile Justice grants are implemented, eighty-five of the ninety-nine counties will have in-home detention programming, which has proven to be an effective, and cost-effective, jail alternative.

Iowa has utilized the Juvenile Justice funds to help develop twenty-four hour juvenile court intake, to improve child abuse identification and treatment and to develop model day treatment, crisis intervention, and in-home services programs. Funds have been consistently targeted for community-based delinquency prevention programs. The Juvenile Justice Advisory Council stimulated and continues to participate in the ongoing annual Summer School for Helping Professionals through the University of Iowa, which this year, provided intensive study for 350 professionals of various disciplines in juvenile justice related issues.

Iowa's participation in the Juvenile Justice and Delinquency Prevention Act has indeed played a key role in overall system improvement, but the task is by no means completed. With this years' state legislation, prohibiting the placement of juveniles in adult jails we are about to come into compliance with the jail removal mandate, but there is still much to be done in the development of alternative resources to provide for the needs of a predominantly rural state such as Iowa. While alternative settings to jail are largely available on a regional basis, the lack of transportation and immediate short term custody resources needs to be addressed.

While Iowa should be in compliance with the jail removal mandate this year, we are concerned with the present language in the Act to not fund states which are out of compliance, which would remove any incentive to comply. Perhaps, there could be language requiring non-compliant states to concentrate program funds on jail removal until compliance is reached. We also are concerned that ending the six hour and twenty-four exceptions may not be a realistic goal, particularly for rural areas.

While we now have a much better understanding of the causes of delinquent behavior, true delinquency prevention will take a concerted effort, inclusive of pragmatic ways of interrupting the intergenerational nature of family violence and substance abuse and of preventing segments of our youth population from feeling excluded from the mainstream of school and community.

Many gains have been made in the juvenile justice system but continued direction from the federal level is needed to further develop the network of resources that have been initiated. The funds authorized by the Act are critical in this effort as they represent one of the few resources for program initiation and encouragement.

Mr. KILDEE. Thank you. Ms. Fleming.

STATEMENT OF ALLISON FLEMING, CHAIR, STATE ADVISORY GROUP FOR JUVENILE JUSTICE, DES MOINES, IA; ACCOMPANIED BY RON STEHL, IOWA JUVENILE JUSTICE ADVISORY COUNCIL, DES MOINES, IA

Ms. FLEMING. Mr. Chairman, Representative Tauke, I am pleased to have the opportunity to talk with you all today about the Juvenile Justice Advisory Council.

I am Allison Fleming, and I am Chairperson of the Council, and this is Ron Stehl, who is Vice-Chair of the Council.

The Juvenile Justice Advisory Council was created in 1975 by then-Governor Robert Ray, and this was also the year that Iowa began participation in the Juvenile Justice and Delinquency Prevention Act.

The Council and its staff are responsible for monitoring compliance with the mandates of the Act, and in 1980, Iowa came into compliance with the requirement that does not allow the secure holding or treatment of non-delinquent youth. At that time, we also reached compliance with the separation of juveniles in adult jails mandate, and then, with the changes we have had in the law, just beginning July 1, 1987, that is in the Iowa law, we should, hopefully, come into compliance with the removal of juveniles from adult jails mandate.

One of the responsibilities of the Council is to assist in the development of the three-year plan for the state, and the Council also recommends to its staff how federal monies from the Act should be spent for Iowa's categorical grants program, and we use that to address the needs identified in our state plan.

We have used that money to reinforce the Council's commitment to removing juveniles from adult jails, and in my written testimony, I have delineated some of the things that we have used that for.

We also conduct training and technical assistance in such things as juvenile code education, jail removal, those sorts of things. We also instituted and remain a primary participant in the Summer School for Helping Professionals, a week-long school at the University of Iowa.

Our Council is composed of professionals from the juvenile justice arena, youth members and volunteers. I feel strongly that all these components are necessary as each member brings a perspective to the Council that is needed. Because I am a volunteer, I feel strongly that volunteers cannot be ignored in working for the implementation of the goals of the Juvenile Justice Act.

Because we do, we, volunteers, do not represent a specific turf, so to speak, we are a natural to help resolve conflict and to facilitate compromise. However, I also do not feel the volunteer could be of any use if there were not the professionals working with them in that area.

I feel that the marriage of the viewpoints that we have on the Council has served Iowa well with the current make-up.

Our Advisory Council does have several recommendations that I would like to read to you. The first is that the Juvenile Justice and Delinquency Act should be reauthorized, that the current jail removal exception should be permanently retained, that the Admin-

istrator of the Office of Juvenile Justice and Delinquency Prevention should be required to publish an annual plan, that the National Coalition of State Advisory Groups should be provided with the resources necessary to advise the President, Congress and the Administrator, that the Office of Juvenile Justice and Delinquency Prevention should be made a permanent part of the Department of Justice, that no juvenile should be held in any institution, detention or correctional facility, in which conditions do not meet at least one set of recognized national professional standards, that no child because of his or her legal status should be denied access to educational and mental health services or other such services and programs funded by the Federal Government.

We feel that eighty-five percent of the appropriated funds should be directed to formula grants. We think that Congress should hold regional hearings on the issue of differential incarceration rates for minorities. We are trying to get you to Michigan, Representative Tauke.

Congress should ensure that the needs of American Natives subject to the juvenile justice system are met.

As I said, we feel that the Juvenile Justice and Delinquency Prevention Act should be reauthorized. Without its assistance, Iowa, and I expect many other states, would not be able to respond as effectively to the needs of youth in society.

Thank you.

[The prepared statement of Allison Fleming follows:]

PREPARED STATEMENT OF ALLISON FLEMING

Mr. Chairman and distinguished members of the subcommittee, I am pleased to have the opportunity to comment on Iowa's Juvenile Justice Advisory Council. I am Allison Fleming, Chairperson of the Council.

The Juvenile Justice Advisory Council was created in 1975 by then Governor Robert Ray. This was also the year Iowa began participation in the federal Juvenile Justice and Delinquency Prevention Act.

The Council and its staff are responsible for monitoring compliance with the mandates of this Act. In 1980 Iowa came into compliance with the requirement that does not allow the secure holding or treatment of non-delinquent youth. At that time Iowa also reached compliance with the "separation of juveniles in adult jails" mandate. Changes in Iowa's law effective July 1, 1987, should bring Iowa into compliance this year with the removal of juveniles from adult jails mandate.

The Council assists in the development of the three year plan for the State. The Council also recommends to its staff how federal monies from the Act should be spent for Iowa's Categorical Grants Program in addressing the problem areas identified in the State plan. The majority of the federal monies allocated the last several years has reinforced the Council's commitment to removing juveniles from adult jails. The Council has had funding participation in emergency shelter care, juvenile detention, residential treatment, day treatment, sexual abuse treatment, substance abuse treatment and family counseling programs. The Council has conducted training and technical assistance in juvenile code education, jail removal, delinquency prevention and program development. The Council instituted and remains a primary participant in the "Summer School for Helping Professionals" at the University of Iowa.

The Council is composed of professionals from the juvenile justice arena, youth members and volunteers. These components are necessary for a successful council as each member brings a needed perspective. I am a volunteer and feel that the role of a volunteer cannot be stressed too highly. Since the volunteer does not represent a particular "turf", he/she is a natural to resolve conflict and facilitate compromise. However, the volunteer would be useless without the professional viewpoint present. This marriage of viewpoints has served Iowa well.

The Juvenile Justice Advisory Council has several recommendations that would continue to preserve the rights of juveniles while protecting the rights of society:

—The Juvenile Justice and Delinquency Act should be reauthorized.
—The current jail removal exceptions should be permanently retained.
—The administrator of OJJDP should be required to publish an annual plan.
—The National Coalition of State Advisory Groups should be provided with the resources necessary to advise the president, congress and the administrator.
—The Office of Juvenile Justice and Delinquency Prevention should be made a permanent part of the Department of Justice.
—No juvenile should be held in any institution, detention or correctional facility in which conditions do not meet at least one set of recognized national professional standards.
—No child, because of his/her legal status, should be denied access to educational and mental health services or other such services and programs funded by the federal government.
—85% of the appropriated funds should be directed to formula grants.
—Congress should hold regional hearings on the issue of differential incarceration rates for minorities.
—Congress should ensure that the needs of American natives, subject to the juvenile justice system, are met.

The Juvenile Justice and Delinquency Prevention Act should be reauthorized. Without its assistance Iowa, and I expect many other states, would not be able to respond as effectively to the needs of youth and society.

Mr. KILDEE. Thank you. Mr. Stehl.

Mr. STEHL. Just want to offer what Mr. Cerveny and Allison mentioned as our role in the Juvenile Justice Advisory Council in the State. I wish to stress three main points of the Federal act.

The act has set a direction for States to improve juvenile justice services. A lot is going on across the nation, a lot is going on in Iowa to improve those services. I think partially responsible for the act to be passed in 1974.

Also, the act has encouraged innovative program development in Iowa. You will hear that today from various testimonies of people in our State who provide services to youth, the types of programs that they have developed, partially as a result of funding to formula grants to those agencies.

From our perspective, we again stress that we feel that the Act does need to be reauthorized. It does encourage the development of what we call innovative and creative program development in the State. We think we are doing that in Iowa. We think with what we have got going in Iowa, coupled with the Federal Act, we can improve our services to troubled juveniles in our State.

Thank you.

Mr. KILDEE. Thank you. Ms. Clark.

STATEMENT OF BETTY JEAN CLARK, STATE REPRESENTATIVE, ROCKWELL, IA

Ms. CLARK. Thank you.

I am here with mixed feelings because I am not a technical type of person, but I cannot turn Tom Tauke down on anything. I am still a little angry that he left us and went to the Federal Government, but I think the Federal Government is better for having him there.

Until now, what I knew about the Juvenile Justice and Delinquency Prevention Act was what people like Ron from the Department said when they came into all of our hearings in Human Resources and Appropriations about the funding that came from here and there and some place else, and their general position.

We have known for years that we had to come to what action we took about juveniles in jail. I can remember when I first started in the legislature eleven years ago, that we were trying to do that. People like Julia had already led the way and we were talking about that then, and we finally have done something constructive on it.

But now it is a little different. It is not just generalities. Now, I have actually read that whole act, all 53 pages of the printed copy, and I feel a little bit like a fellow in the old Alka-Seltzer ads, "I can't believe I read that whole thing", and I have developed a theory that the larger the body that creates the law, the more complicated and wordy the law is going to be, and it is my firm opinion that probably everything that is really good in that Act could have been said in half the words, but since I live in the glass house of the Iowa Legislature, I cannot afford to throw stones because we are very wordy.

But, you see, we only have a hundred of us, you have 435 of you. So, we are not quite as wordy as you folks are. But I do not want to dwell on that.

I feel it has been a very important thing for the Federal Government to take leadership in these kinds of things and setting goals for us to look at. Preventing—presenting a challenge to us.

I personally feel that Iowa has had this kind of compassion and this kind of thing and probably would not need to be prodded as much as maybe other states, but then I am partial to Iowa. I think, however, that the Federal Government being able to assist people in a state like ours that wanted to do some of these things and had some people that looked further than their noses, I think it has been particularly helpful to them and the funding assistance has been important.

Being from a rural area, the matter of removing juveniles from jail is a difficult thing because each county has such a small number of juveniles that it could not possibly be cost-effective to do it on a county-by-county basis.

In my area of the State, 18 counties are—have banded together to create one facility, and it was through this Act and the funding from this that we were able to hire a researcher to make the needs assessment to know how big a facility do you really need for this group of counties and also to look at locations, and then they got another grant for programming and staffing and that is going on.

And each one of these things that starts with the help of the Federal Government funding and guidance is able to be an example to somebody else and say, well, maybe we should be doing this, and some of the other rural areas. It is always—the first of these things are always in the metropolitan areas because they are already organized and able to do it.

And, so, if you cut out the funding now after you have set things in motion where we have examples of what can be done and everything but then the funding disappears or the Act disappears, it holds up the guidance for us, that—I think that would be unconscionable to take that out.

In the area of shelter care, we also have some of that in my part of the state, but, here again, it is in the most populous part of the state, but I find that ninety-eight to ninety-nine percent of the ju-

veniles that are in the shelter homes in Mason City, which is the largest town, are really rural kids. So, it does reach out, and I do not think we want to pull the rug out from under these programs now that we have shown them how to go.

One of the big problems, of course, in rural areas is transportation. To get the people to the services or the services to the people who need them, and I think if you really want to zero in on making an impact in rural areas, that the—maybe you want to increase the emphasis on transportation and providing leadership to fund creative solutions to that problem, and then, once having found that solution, leadership in helping it get in place.

I would like to see an expansion of the volunteer service. I agree with Allison on this. However that—it is great to have volunteers and you can do a whole lot with volunteers, but to say that you can do it without somebody to have the skills to inspire and educate and guide volunteers, you are just not going to get very much done, and the people that have the skills to do that are not available without remuneration. They just are not because they are some place else making money.

It takes money to set up and train and guide a volunteer program. Here in Iowa, we have our court-appointed special advocates program, the CASA Program, that provides citizen guardians ad litem and this is a case in point where they have used volunteers, but the program would not have gone anywhere if it had not of had some support at the top with somebody to work with it.

More emphasis on rural assistance through the federal program would help us at the state level in that kind of a program.

I think Congress is very wise in putting an emphasis upon continued monitoring and evaluation because we all need to know whether our investments and money and effort are really bearing fruit or whether there is a better way to do it, and, so, I would hope that in continuing this program,which I am not saying please do, I am assuming you will have the good sense to do it, and, so, it will be to show us maybe the hows of good monitoring and evaluation.

I think we do a pretty good job here in Iowa on that, however. There is a lot of emphasis on that here, but we are only one state and there may be others that are not as enlightened as we are. Right?

It also is very wise to set up a coordinating council on juvenile justice and delinquency, but when I read this list, this long list of groups that are in that, I began to wonder if maybe you should consider, when you are redoing this, some reconstructive surgery because I cannot help but believe that some of those programs ought to be combined for more efficient administration and not just have to rely on a coordinating council of all of these myriads of programs.

And I cannot help but believe that there has to be some overlapping in that, but I want to be very careful in suggesting that because we have been through combining things into block grants and then whacking them into funding so that nothing in that block grant could be as effective. I do not want you to go that route. We have not recovered from the knock-out blows we had on that proc-

ess, and, so, I mention this with a little fear and trembling, but I still think it would probably be helpful to do.

It is to be hoped that Congress is going to realize that the economy may be improving in some of the areas of this country, but the rural Midwest has not enjoyed this improvement yet. We do not want to be left stranded out here. So, continuation of this Act and adequate funding for it is really imperative, and it is cost-effective. It will save us bigger expenses in the future because any investment in helping juveniles, I know, for sure is a moral necessity, and it is also a fiscal necessity, and, so, no matter what ideology anybody, political ideology anyone has, it should be something that we could agree upon, that this is a good investment of our money.

[The prepared statement of Betty Jean Clark follows:]

PREPARED STATEMENT OF BETTY JEAN CLARK

Until now all I have known about the Juvenile Justice and Delinquency Prevention Act of 1974 were generalities and the kinds of things happening in Iowa because of that act.

Now it is different. I have actually read that act and its subsequent additions and amendments and I feel something akin to the man in the old Alka-Seltzer ads. I can't believe I've read that whole thing! So I have developed a theory that the larger the body creating the law, the more complicated and wordy that law will be. It is my firm opinion, and not too humble, that everything of importance in that act could have been said half as many words.

Be that as it may, I do not wish to dwell on it for living in the glass house of the Iowa Legislature I should not be throwing stones.

The Federal Government is to be congratulated for its leadership in the area of juvenile justice, setting up a standard of goals high enough to present a challenge to the states plus some assistance in charting the course to get to those goals and funding assistance along the way.

Let me turn to some of the results in Iowa. In rural areas removing juveniles from jails is not easy. There are so few in each county that a separate facility for juveniles cannot possibly be cost effective. One group of thirteen north Iowa counties had banded together to create one facility. They were able to utilize funds through this act to hire a researcher to make a needs assessment to determine the appropriate size for such a facility and to research the possible site locations.

This done, they received another grant for programming and staffing. Their success stands as an example to other areas who now can move ahead in similar projects only if this Federal support is continued! If the Juvenile Justice and Delinquency Prevention Act and its funding were to be cut back now it would be unconscionable.

In my area of the state, which is a rural area, there is a youth home and shelter which has received funding through JJDPA. They serve juveniles from a wide geographical area. It is estimated that 98 or 99 percent of these juveniles are rural kids. Again, this has shown other areas what they could do and given these some hope for solving some of their problems. The rug must not be pulled out from under them at this point.

A perennial big problem in rural areas is transportation, either to get people to the service or services to the people who need them. If Congress wants to make a truly great impact on the problems of rural juveniles, it will increase the emphasis on the area of transportation; providing leadership in funding creative solutions to these problems of course, but also leadership in finding those creative solutions in the first place.

I personally would like to see an expansion of the emphasis on voluntary service. It is all well and good to say that we could accomplish many things by volunteer service but someone must inspire, educate and guide volunteers. Those with the skills to do all of this are not really available without remuneration. It takes money to set up, train and guide a volunteer program.

Our court appointed special advocates program, CASA, which provides citizen guardians ad litem is a case in point. This program received initial funding from the juvenile justice and deliquency prevention program set up by this act. Cases and volunteers are both more plentiful in metropolitan areas and so these are the areas which have received the most of these funds at this point but perhaps more help

needs to be offered to developing rural volunteers. More emphasis on rural assistance through the Federal program would help us at the state level.

Congress was wise in putting into this act an emphasis upon follow up and monitoring and evaluation so that there can be a better indication of where our investments in money and effort will bear the most fruit. In continuing this part of the program it would be well to see that the "how's" of good monitoring and evaulation will be shared with the States so that they, in turn, can do a better job.

It was also wise that the act set up a coordinating council of juvenile justice and delinquency prevention. That is an important step in the right direction. However, as I read the lenghty list of the agencies which are part of this council, I cannot help but wonder if serious reconstructive surgery should not be seriously contemplated. Perhaps there are some of these programs which should be combined for more efficient administration. This could aid the public who become extremely frustrated when in search of where to get help for a specific problem. Also in that many programs there just has to be come overlapping.

One caution. Combining programs should not mean a decrease in funding! It should be done only to improve administration—not to decrease funds for the programs. We've been down that road in combining block grants and then whacking the appropriations. As States we haven't recovered from the knock-out blows that process gave us.

It is to be hoped that Congress will realize that the economy may be improving in some areas of this country but the rural midwest has not enjoyed this improvement. Please do not leave us stranded out here. Continuation of this act and adequate funding for it is imperative and it is cost effective since it will save us bigger expenses in the future. Investment in helping juveniles is a moral and fiscal necessity!

Mr. KILDEE. Thank you very much for your testimony.

As you know, the law originally called for substantial compliance by 1985. Because data collection lagged behind, the enforcement of that would ordinarily fall probably about 1988. Full compliance was required by 1988 and again for the same reason, it will probably be 1990 before they enforce that.

I would suspect that in light of what the Iowa Legislature has done recently, you are probably at least in substantial compliance, so there is no danger of you losing the money flowing directly to the state. I would think that alone has brought you into substantial compliance, and I think as you carry that legislative act out and implement it, you probably, hopefully, will be in full compliance by the time they start enforcing the 1988 deadline, which will be about 1990. So, I think you have got yourself on a good path there.

Let me ask you this question. We have mandated the deinstitutionalization of status offenders which simply disallows their placement in a secure facility. The intent of Congress in enacting the legislation would was to encourage states not only not to institutionalize these status offenders, but to develop some programs to deal with them.

Could you, maybe the four of you, just tell us how you have done that here in Iowa to deal with the status offenders in a positive way?

Mr. CERVENY. Well, in terms of the emergency crisis-type programs, the shelter care network that I described, I think largely flowed out of the DSO mandate, and I am really kind of proud of what we have here in Iowa when I look at surrounding states in terms of those programs because they are truly community-based, can function to reel in the families, you know, try to get services in place to reunite as quickly as possible, and provide a stable type of setting while other processing is going on as the kids need to go elsewhere in the state and in the system.

We have, what, 40 child-caring agencies in the State that provide a range of group home residential treatment types of services. I do not believe any of them are secure in nature, that they are able to perform very excellent services in non-secure settings, and they serve both non-delinquent and delinquent youth.

Ms. CLARK. Well, probably the area that seems to disturb most people and why we have had to fight almost—well, every other year at least—to keep status offenders out of the system is the area of runaways, and we are developing some runaway services, and I wish those people who want us to put them back the old way would use all of that energy to help develop these services.

But I think that is coming, and I would hope that, federally, you would not let—drop back on that emphasis of keeping the status offenders out of the delinquency system because, if you do, we have got lots of forces in the state that will really climb right on with you and we will set ourselves back a ways and I do not want to do that.

Mr. KILDEE. As a former teacher, and as a parent of three teenagers, I hesitate to say this, but it is a fact; in some instances, when a child runs away, that is an act of survival for that child. I come from a traditional family and I am raising a traditional family so that troubles me, but it is a fact.

I had students who finally split out of a need for survival. For that reason, there seems to be a need to treat that family as a unit. In some cases that family unit has been so damaged and is such an ineffective and very often destructive unit that it must be dealt with as a whole.

How do we approach that in Iowa?

Mr. CERVENY. A variety of services, notably over the last seven or eight years, home-based family-centered services, has become very prominent in the State as that means of intervening to try to effect the family dynamics that have generated those behaviors that have brought the young person to attention.

Mr. STEHL. I would have to say in the past ten years, Iowa has probably been on the forefront in developing what we in Iowa call family-centered or family-preservation type of services. As Gil said, there is a continuum array of these types of services around the state.

In the past several years, quite a bit of funding from our state legislature has gone into these types of programs. This past session of our general assembly, they initiated a program for us to develop called "the family preservation program", which is a more specialized version of our family counselling types of programs that we currently have in existence now.

They are statewide, most of these programs, more in the metropolitan areas than there are in the rural areas. We do feel we have a statewide array of those services, but much more needs to be developed in the rural area.

We think we are on our way to getting that. We think—and part of the funding for those in-home family-centered types of services has come from the Federal Juvenile Justice and Delinquency Prevention Act formula grants over the past several years.

Ms. CLARK. About the only thing that is being done rurally, from a rural standpoint, along these lines is done through the farm

crisis mediation people because they are discovering that what these people need is not just financial help, but the destructive families and there is a growing emphasis upon looking at family structures and what the crisis is doing to them in a rural area, and, so, they have moved into that a little more, and I think that is probably the only area that we have really been able to touch the truly rural people. And that is only the people that are in financial trouble that we reach, and there are families in trouble for other than financial reasons.

Mr. KILDEE. Yes. I have read about wealthy families.

Ms. CLARK. Rural as well as metro.

Mr. KILDEE. Tom.

Mr. TAUKE. First, in your testimony, Gil, you talked about the jail removal mandate and you indicated that present language in the Act suggests that we do not fund states which are out of compliance. You suggest that that is a bad approach, that instead we need a different approach, an approach which suggests that we provide funds to those states that are out of compliance but direct the way in which they spend the money.

Is that an accurate reflection of your view?

Mr. CERVENY. That was a concern I expressed, that now that the—that time is here, so to speak, and there are a number of states that are not yet compliant, that if the funding is terminated, they may just simply choose not to participate any longer.

Mr. TAUKE. Is that a reflection of the view of the panel as a whole? Do the other members of the panel agree with that perspective?

Ms. CLARK. Yes.

Mr. STEHL. Yes.

Ms. FLEMING. Yes.

Mr. TAUKE. What kind of requirements should we impose on a state then that is out of compliance? Do we require that the funds be spent in a specific area or should there be some other requirement? What is the stick that we have to force states to comply?

Mr. STEHL. I would suggest that, OK, if the state is out of compliance, participating in the act, funds that go to that state be targeted in the areas that they are out of compliance, whether it is jail removal, the formula grant dollars go specifically for jail removal activities.

Mr. TAUKE. The problem that we have is that you need to persuade legislators in the states on occasion to do something, and, Beje, is that going to be a sufficient stick to persuade legislators to take action?

Ms. CLARK. I do not know because, really, funds have been available to help them do these things from the beginning and they have not done them yet.

So, I have been sitting here thinking what kind of a stick do you really have. The only thing I know that really is effective is to remove funds from something else, unless you do this, and I do not know how you get that in your Act because you would have to have some agreement there.

It is the same principle as you are going to get highway dollars if you do not do the speed limit and this kind of thing, but I cannot

think of any particular stick like that that you have got, but maybe you will come up with something.

Mr. TAUKE. Well, if you have any brilliant ideas, pass them on.

On the funding area, generally, as you may know, the Administration takes the position that Congress enacted this Act some years ago in order to give the states a push and to begin movement in this direction, but that now the program is maturing in most states and that there is no need for a continuation of funding.

What happens in the State of Iowa if we essentially drop funding for juvenile justice?

Ms. CLARK. Well, I think the thing that troubles me the most is that people—they talk about government moving slow, but the public is slower than we are, and—which is probably why we are slow, but the thing that concerns me is that the movements that we have made are beginning to show that they work enough that other areas within the state are ready to go ahead and move, and if we pull back on it from the Federal Government, so that those areas are not going to have the help that we have had in the areas that did move out, it will just stop right where it is, and I do not think we have completed the job.

I would hate to see that happen. What we have done has inspired some people to do more and we would just squelch that inspiration if we did that.

Mr. TAUKE. Would there be back-sliding in Iowa if the Federal Government funds were dropped?

Ms. CLARK. There might be some. I think the programs that are really solid probably would stay, but some of the others might not.

Mr. TAUKE. Any other thoughts on that?

Mr. STEHL. I agree with Beje I would add one thing. These dollars, the federal formula grant dollars, that Iowa receives are essentially used for creative, innovative, start-up types of programs. We do not have any funds available in Iowa for start-up types of activities.

We have a lot going for on-going service types of programs, and this kind of provides the stick to everybody to develop some innovative, creative things. It gives private agencies the mechanism to start up programs that perhaps they may not have the opportunity to do that if they had to find the money on their own or else to seek that out from the state.

Mr. TAUKE. Two of you, Gil and Allison, indicated that you thought it was unrealistic to eliminate the six and 24-hour exceptions in the current jail removal provisions of the Act.

Tell us why you think that the six and twenty-four hour exceptions ought to be retained permanently.

Mr. CERVENY. I do not know if I would necessarily say I feel that they should be retained permanently.

Mr. TAUKE. Well, let us say retained——

Mr. CERVENY. Through the life of the next 4 years of the act perhaps. Simply because full compliance means total jail removal, and the status of implementing the program in the State, particularly in the rural areas, is such that that is probably going to be hard to accomplish.

The development services tends to evolve that you get the concrete brick and mortar kinds of things in first and the other parts

of that continuum, we kind of glibly talk about, kind of fall into place flowing from that, and full compliance for those areas of the state that have only sporadic unpredictable kind of usage patterns is largely going to depend on developing things like further in-home detention, more sophisticated kinds of that, attendant care.

Some things that we have not fully identified in terms of helping with the transportation and man power kinds of situations, right now the projection is just that full compliance would be very hard within the——

Mr. TAUKE. Give me a concrete example. It does not have to be real life, but a concrete example of what happens in a rural area that makes it difficult to comply. What problems does the local sheriff or the local policeman have in dealing with this kind of situation that makes this kind of exception necessary?

Mr. CERVENY. Again, in the rural areas, it would be—I do not want to start by saying the exceptional situation, the thing that happens maybe once a year, once every couple of years, but the serious crime, the violent type of offense committed by a juvenile, that at least in the short run would pose problems in either finding a slot in a regional detention facility, which may be a couple of hours away, or doing the actual physical transportation, at least for a several-hour period of time, either because of manpower or even weather situations. This is Iowa.

I see the problem mainly being in the very short-term kinds of situations, not any extended kinds of things.

Mr. TAUKE. Do any of the rest of you have any observations about that?

Ms. CLARK. Well, I just know of one situation in our area which was mid-winter and the transportation just simply was not possible. What are you going to do with that kid?

Mr. TAUKE. Is this only a problem with violent crimes or is this a problem that arises when there is either no crime at all or maybe something that is less than violent?

Ms. CLARK. Well, I think that some of—there are some people that you can call on in an area that will keep a youngster on a temporary basis if it got into that snowstorm situation, that you can find something to do.

The violent one, nobody wants to take into their home and say, yeah, I will hang on to this kid for this length of time. So, the violent ones are really——

Mr. TAUKE. Do we need to do something different for violent situations? Does there need to be something in the Act that addresses that issue specifically?

Ms. FLEMING. I know that in my short experience with the Advisory Council, one of the concerns that I have heard is what to do with the violent offender, and——

Mr. TAUKE. And what—go ahead. What should be done? If you were writing the Act, what would you do with the violent offender who was sixteen years old?

Ms. FLEMING. In the first place, I hope it would never happen, but given that that does——

Mr. TAUKE. Well, it does.

Ms. FLEMING [continuing]. I'm speaking just for myself.

Mr. TAUKE. Sure.

Ms. FLEMING. I would like to see a facility for the violent child, to handle not the normal type of problem, but some place that current detention centers and all could take a child that has major problems, that needs all kinds of security needs and just needs massive attention.

Mr. TAUKE. Not to dwell on this, but let me just ask what happens today, because I am not sure I have a clear understanding of that.

Suppose we have a rural area in Iowa, we have a violent crime committed by a sixteen-year-old. What happens?

Mr. CERVENY. More than likely, they would be held locally, anywhere from one to four hours, until a slot could be identified in one of the regional detention centers and then transported.

Mr. STEHL. In a few instances, not many, in the year, the state training school at Eldora would be used as a holding place, a detention-type of place, for those youngsters, but when that happens, that presents problems at that facility, too, because of over-crowding.

I agree with what Allison mentioned. I think we do not have many violent offenders, juvenile violent offenders, in Iowa, but those that do cause us problems, and I think it causes problems because of the type of service. We need more service for that particular youngster, more array of services for that youngster, more alternatives for local law enforcement people to use than what probably we have now in Iowa.

When she talks about a specialized type of facility, I think it would be useful in Iowa for that particular type of child.

Ms. CLARK. Sometimes up in our area, we will put them in a psychiatric ward, a secure psychiatric ward at the hospital, until they can find something else.

Mr. TAUKE. Okay.

Ms. CLARK. That creates problems for them, too.

Mr. TAUKE. Yes, I am sure that it does.

Well, again, if you have any great ideas on that subject, I think we are open to some suggestions.

We have had some concern about the youth membership on the State Advisory Groups, and some states indicate they have difficulty getting young people to serve and remain interested for a period of time.

Have we had any difficulty in the state with the youth membership slots on the State Advisory Group?

Ms. FLEMING. I cannot talk about the difficulty in the past, but, currently, we do have youth membership on our Council, and they do represent a specific set of problems germane to them. Many of them are in school or they are just in different situations that it is hard to get them to come, but we have been really lucky that we have had active participation from our youth members whenever they are able to and their problems have been no less legitimate than adult members of the Juvenile Justice Advisory Council.

I think what you have to do is you have to look at the juvenile involved as you should with any member of your Council and find out where their areas of interest are and then use them in that area because if they are working on something that they are interested in and they care about, they are going to do the job.

Mr. STEHL. A personal perception. I think it is critical to have youth involvement on the Justice Committee. I think it gives a viewpoint that is probably overlooked or assistance supposedly to help youth that many times we do not ask those youth or kids in our system their opinions of things going on.

This is a good forum for that. I have been on the council for a number of years, and I cannot recall, it has been a thoroughly enjoyable experience working with the kids on that Council. They come up with ideas. They do not just sit and remain quiet through the meetings. They are very active. They are very vocal and I think we have used their opinions, hopefully, in attempting to craft plans that have been developed over the years in Iowa.

Mr. TAUKE. The last question deals with national standards for detention centers. I think in your testimony, Allison, you suggested that we have some kind of national standard.

I have been generally reluctant to have the Federal Government sit up there and say these are the standards that ought to be met because it is difficult to anticipate all of the circumstances.

Why do you think we need a set of national standards?

Ms. FLEMING. I must have misspoken because what I said was that——

Mr. TAUKE. Or maybe I did——

Ms. FLEMING [continuing]. Children should be held in a facility in which conditions meet at least one set of nationally recognized standards. We were not asking necessarily for a single standard.

Our concern here was just that children should not be held in facilities that you and I would not want to be held in. So, we are not calling this really for a single recognized set of standards because, as an executive committee, when we approved this, we could not decide on what single recognized set of standards we wanted, just that there needs to be a certain minimum acceptability of any facility that a child is housed in.

Mr. TAUKE. Does anybody have any suggestions on how we deal with that issue?

Ms. CLARK. I think, federally, that if you could indicate that it is vital for states to have—to develop standards, maybe put that in as one of the requirements——

Mr. TAUKE. Do not set the standards. Instead, say to the States, you have the——

Ms. CLARK. You would dictate to the state that they have to have a set of standards. That will get them on the ball.

Mr. TAUKE. Well, thank you very much. It has been very helpful. Thank you, Mr. Chairman.

Mr. KILDEE. One final question. Has Iowa utilized the rural exception that was put into the law back in 1984 when you are outside a central metropolitan area and you might find it necessary to hold someone longer in that adult jail, for, say, twenty-four hours or six hours? Is that exception being used in the state of Iowa?

Mr. CERVENY. Technically, we were not eligible for the twenty-four hour exception until House Bill 522 was passed because of the requirement that there be a twenty-four hour hearing.

Mr. KILDEE. OK.

Mr. CERVENY. Assumedly, we will. We have not gotten the official——

Mr. KILDEE. You can apply for that exception.

Mr. CERVENY. Yes. We did that.

Mr. KILDEE. For meeting the criteria for the exception.

Mr. CERVENY. That is correct.

Mr. TAUKE. Following up, do you intend to apply?

Mr. CERVENY. We did apply several months ago.

Mr. KILDEE. Do your police officials in the rural areas keep pressing you to do just that? Do they find that to be a problem in the rural areas?

Mr. CERVENY. My experience has been, and I worked in a rural area for about ten years, that occasionally that is. Their more pressing concern is those first few hours, while they have the first contact with the person and are trying to figure out where to go next, contacting juvenile court officials, judges, things like that. That is more their area of concern and how to transport them where they need to go.

Mr. KILDEE. I want to thank the panel. You have been very helpful to us. We will take this information back to Washington. We will be in the process of reauthorizing this coming year. We will probably be calling upon you again.

If you have any further information for us, just feel free to communicate with us.

Thank you very much.

Our next panel will consist of some service providers. Mr. Earl Kelly, Executive Director, Orchard Place, Des Moines, Iowa; Mr. Bill McCarty, Executive Director, Youth Homes, Incorporated, Iowa City, Iowa; Jim Swaim, Executive Director, United Action for Youth, Iowa City, Iowa; and Gary Hammond, Assistant Executive Director, Hillcrest Family Services, Dubuque, Iowa.

Mr. Kelly, I think we will be visiting your place this afternoon.

Mr. KELLY. That is correct, Mr. Chairman.

Mr. KILDEE. Okay. You may begin your testimony, summarize if you wish. Your entire written testimony will be made part of the record.

STATEMENT OF EARL KELLY, EXECUTIVE DIRECTOR, ORCHARD PLACE, DES MOINES, IA

Mr. KELLY. Okay. I would like to thank the subcommittee for the opportunity to provide this testimony today.

My name is Earl Kelly, and I am the Executive Director of Orchard Place, Des Moines Children's Home, and Orchard Place is a residential treatment facility which is a seventy-eight-bed unit that actually goes back to June 1886.

It started as a orphanage in Des Moines, Iowa, and the program essentially existed as an orphanage up until about 1963, and at that time, a community need survey in Des Moines indicated that some type of facility needed to be developed for children who were having major emotional and behavioral problems.

So, our Board of Directors, numbering thirty, did a rather extensive community survey and came up with the idea of a concept of a residential center which was subsequently developed and has been in place since that period of time.

What occurred to us back in the early 1970s is that we were seeing a number of youngsters referred, actually an increased number of youngsters referred, who had very complex emotional and social problems. However, we thought that some of these youth could appropriately be served in an alternative residential setting. In other words, a non-residential setting, and because of that, we proposed to a number of community people the concept of developing a day treatment center, which actually we started talking about the concept probably for about five years.

It was extremely difficult to develop the funding for this program, and back then in about 1982, we took the concept to the Juvenile Justice Advisory Council and we, in fact, received a grant in the amount of about $20,000 to develop an advanced, according to the Code, it is called, I believe, an advanced system for providing services.

So, the PACE Program, an acronym that means Porter Avenue Center for Education, was, in fact, developed at that time, serving fifteen youth, who would otherwise be incarcerated in some type of a secure type of facility.

If it was not for the funding that we received, quite frankly, we would never have been able to develop PACE, and the reason for that is because the child welfare field, particularly the out-of-home care field, is very seriously under-funded. So, all of our resources were being used to support our program operations in the residential program which is an absolute key thing when you have a child living out of home. You want to have absolutely a quality program, and we had to have this additional funding in order to develop the PACE day treatment program.

So, that is, in effect, what has occurred. So, we have received funding from the Juvenile Justice Advisory Council for several years now that has enabled us to continue with this program.

In 1984, the program was expanded from fifteen to thirty youth, and, so, the program has attracted considerable attention in the Des Moines community by responding to these youth who otherwise again would have been placed in some type of out-of-home facility in many cases.

So, the statistics in my testimony reflect that the—first of all, the target population that we are serving is very much consistent with the guidelines of the Act, and then there is also an evaluation section that is provided in the testimony which indicates that about 61 or 62 percent of these youth following discharge have been able to remain in their home, which we think is very significant, and then, in addition to that, we also found out through our survey that the program has been able to—55 percent, 55.1 percent, of the youth have not had any additional contact with the criminal justice system, which we think is very significant.

In addition to that, we have about a ninety percent attendance rate, about a twenty-six percent minority group that we are serving in the PACE Program at the present time, all of which we think is extremely important. In fact, the PACE Program has been talked about recently as being one possible model to follow in terms of helping to deinstitutionalize Eldora.

There are a number of community people that have been meeting and talking about the prospects of using this model in a way to

work with some of the youth who otherwise would be placed in the state training school.

I point out, however, that there is a bit of a paradox. This year, although the PACE Program is extremely effective, although we are doing well with the program, we certainly want to improve—there are areas in which we need to improve, we continue to have a major problem with funding, and this year, we had a shortfall that required us to go out to the private corporate community and ask for funds from various groups.

So, for example, we solicited Aetna Foundation, Aetna Corporation. They provided some funds for this program. However, many of the corporations are interested in bricks and mortar-type of programs and are not terribly interested in providing program dollars on an on-going basis because they simply do not want to make that kind of commitment.

So, at the same time that we think PACE is on target and on task with respect to program, we continue to have a real problem in terms of obtaining program dollars to keep the program intact.

So, at the same time it is being viewed as a possible option to deinstitutionalize Eldora, we are also facing these funding cutbacks. I can tell you that because of the serious problem in terms of funding out-of-home care for children, Orchard Place will not have the dollars to underwrite the PACE Program should we have to do that. So, there are some real issues in there that seem to me need to be addressed.

So, my recommendations are obviously (1) to continue the reauthorization of OJJDP. We think it is absolutely—I think it is absolutely on target in terms of what it is doing. PACE would simply have never happened unless these dollars would have been available.

And, then, secondly, we think that some consideration should be given to continuation funding. I know, I understand the start-up is important, but we have a real problem in terms of attracting on-going program dollars to support the type of program that we are talking about with respect to the PACE Program.

[The prepared statement of Earl P. Kelly follows:]

REAUTHORIZATION OF THE JUVENILE JUSTICE AND DELINQUENCY PREVENTION ACT

My name is Earl P. Kelly, Executive Director, Orchard Place-Des Moines Childrens Home, located in Des Moines, Iowa. My comments will be directed today toward one of the programs operated by Orchard Place and the relationship of this program, a Day Treatment Program, to the Juvenile Justice and Delinquency Prevention Act. The Day Treatment Program is called PACE, an acronym that refers to the Porter Avenue Center for Education (PACE). I will briefly describe Orchard Place and then outline the development of PACE for you and its relationship to Juvenile Justice and conclude with recommendations.

Orchard Place is a seventy-eight bed residential treatment agency which in the past few years has added an inhome program and the PACE program in 1982. Historically, Orchard Place traces its roots to June, 1886, when it was founded in this community as a orphanage. In the early 1960's the agency changed its focus from that of an orphanage to that of a specialized facility treating seriously emotionally disturbed children. This change came about because of a growing awareness in the community that a facility needed to be developed which could treat the groups of children presenting themselves for treatment. Following a community needs survey, the program was retooled to serve the emotionally disturbed children of the community. The model chosen to serve the children was a blend between a hospital model and a school. Thus, the program that envolved is based upon clinical services, educa-

tion and youth services. The program was carefully crafted literally from the ground up beginning with the physical plant and then carefully defining the elements of the program which would make it a quality program for the children who would be living at Orchard Place. Such planning and foresight on the part of the Board and others resulted in a nationally recognized program known for its physical plant and prototype programs. Orchard Place then proceeded to grow steadily over the intervening years. Initially in 1963, the program started in a small frame house serving three children and then proceeded to emerge into a major treatment program for children. The model always followed by the agency has been one that was a community-based residential facility which offered an alternative to large institutional type programs.

In the early seventies it became increasingly apparent to the staff that we were seeing more and more children referred for residential services, a trend which appears to continue today in our community. Furthermore, our professional staff believed that not only were we seeing more children referred but that such children had more complex problems both individually and from a family perspective. These observations were shared with our Board and discussed with staff extensively. It was determined that some type of a non-residential services system, if developed and staffed carefully, could effectively manage and treat some of the clients we were not able to serve in a residential setting. As early as the mid-seventies then we had developed a proposal to develop a prototype day treatment program which would serve the type of youth who would otherwise be placed out of home. The proposal was to establish a fifteen client day treatment program for youth between the ages of fourteen and eighteen years who presented with a history of pre-delinquent and delinquent behavior. The program, like the residential program, would focus on individualized treatment through a blend of clinical, educational, and therapeutic approaches.

Suffice it to say that there were many barriers to the development of this program. It did not fit the typical programs offered by the state and county. Youth were not living out of home, thus not eligible for foster care dollars, nor was the PACE program compatible with criteria for other funding streams. Proposals were submitted to various groups but the type of program was not regarded as consistent with the various groups' guidelines. Eventually, with the assistance of a number of professionals in the community, Orchard Place was able to negotiate contracts with the Department of Human Services and Polk County. We were able to obtain instructional staff from the Des Moines Public Schools to provide the educational services needed for the PACE program. However, even after all the agreement had been worked out, we did not have sufficient funding to start PACE. It was at this point in 1982 that Orchard Place made the PACE proposal to the Iowa Juvenile Justice Advisory Council. Following their review, an award of $20,000 was made to start the PACE program. This award was the key factor in the development of the PACE program. Without the award, Orchard Place would not have been able to move ahead with the project. Another development that occurred was the availability of the former Kurtz Jr. High as a potential site for PACE. This was most providential as it happened to be located directly across the street from Orchard Place. This enabled us to use some of our facilities for PACE youth. PACE opened officially in January, 1983, and almost immediately was filled to capacity. Because of the numbers of referrals the program was doubled in 1984 to accommodate thirty youth. Presently the capacity of PACE is at thirty youth. In addition to the first award, Orchard Place has presented applications for assistance to the Juvenile Justice Council in 1985-86, and was awarded $33,510, $36,500 in 1986-87, and an award of $20,000 for 1987-88. In addition, special allocations have been received for equipment used at PACE. Again, I would point out that Orchard Place would never have been able to continue the PACE program without these grants from Juvenile Justice.

And exactly what has PACE been able to accomplish with the funding?

First, one may raise the question is the funding directed toward the appropriate target group? Here are some of the findings of the youth served at PACE. Since program inception, one hundred and sixty-seven youth have been served through the PACE program. Of these youth, 11% have been Children in Need of Assistance (CINA), 35% have been adjudicated delinquent, 20% have received consent decrees from the juvenile court, and another 7% have been referred to PACE by the court on the basis of an informal adjustment. 75% of the youth have been directly involved with the juvenile court. The remaining 25% would be regarded as predelinquent youth, often truant from school, and very much biding time until caught by authorities. Thus, the program is meeting the target population of our community.

Second, how effective is the PACE program?

A formal research project as part of a Masters thesis in Social Work was conducted in 1986 which focused on reviewing the effectiveness of the PACE program. The group studied was those youth discharged from January, 1983, to June, 1986. Of this group numbering thirty-eight youth, the survey results showed that 61% (N=23) of the PACE students remained with their families after discharge and did not require further placement outside of their home. After PACE program completion, 55.3% had no further involvement with the criminal justice system. In evaluating educational data, it was learned that 55% of the youth (N=21) were still in school or had graduated. About 32% were employed either full or part-time. Further, it was learned from the study that the probability of a positive adaptation of the student following PACE discharge could be correlated with the time spent by the student in the PACE setting. Increased time in the PACE program was associated with positive adaptation. This survey also generated some interesting findings regarding the parents of the PACE students. Parental satisfaction with the program at PACE was nearly 70%. It also appeared that once students were involved with PACE their interest and motivation to improve in school increased. Thus, it was also learned that the attendance rate for PACE students was nearly 90%.

Based on the type of youth being served at PACE and the evaluation completed to date, it is readily apparent that PACE is an effective program system. It is clear as well that without the PACE services system in place many of the youth would have been referred to the state training school system and such placement would have been at considerable cost to public funding bodies.

The following case illustration provides some insight into the type of youth placed at PACE:

Brad, age 16, was referred by his local school and by the Juvenile Court approximately one year ago. This young man lives in a rural area which has limited resources for adolescents who are experiencing behavioral and emotional disorders. The specific reasons for referral include: parental abandonment, community vandalism, and significant disruptive behavior within the school setting. At the time of referral, Brad was living with a foster family that had taken him in as both his parents had left the state and had transferred custody to this couple. Initially, Brad was resistive as he mistrusted adults in general. He had no reason to believe that the adults at PACE would be any different than the ones he had previously experienced. His history included: severe child abuse and neglect, marital discord, drug abuse by the parents, and little nurturance directed towards this young man. Brad took on the facade of a macho young man and carried himself in that fashion for some time. He had significant blowups of anger and tantrums in the PACE program and would throw books and materials at staff.

While at PACE, he received the following services: individual therapy, family therapy with the foster family, group therapy that addressed issues of chemical dependency and survival skills. Brad also received academic services and was able to make up some educational deficits. The peer group at PACE was especially important for Brad as previously he had few friends. The friends that he did have tended to be delinquent, involved in the destruction of property and aggressive toward others. The PACE group offered Brad a chance to develop positive relationships. Although he had several regressive episodes, Brad eventually learned to trust his therapist, teachers, and the peer group. He demonstrated less impulsive anger outbursts and greater control of his behavior and feelings overall. Brad continued to live with his foster family in his home community. He has several issues which remain critical for him. These include the neglect from his parents, the remaining community service he has to complete for his delinquent acts prior to PACE, and the seduction of previous friends that are involved in alcohol and drugs. To assist Brad with the progress he has made at PACE, the therapist has made weekly home visits to see him. After discharge, Brad will be able to take advantage of after-care services coordinated through PACE.

Brad's situation is particularly symbolic in that it demonstrates one of the central reasons for the funding of PACE. Young people may be diverted from state facilities and remain within their home communities to receive treatment services and to benefit from developing family ties. PACE offered individualized therapy services to Brad and provided academic services. All of this impacted Brad through assisting him in developing competence and confidence.

Brad's struggle is not over. With any adolescent, one can expect a series of developmental crises which may trigger regressive behavior. Our expectations, however, is that Brad will continue to receive needed therapeutic and academic services to help him with his continued growth. Brad states directly that he is at greater peace with himself now and is less likely to engage in further acts of delinquency. He has asked to receive follow-up services from PACE. The foster family is in agreement

with this plan and the overall prognosis for this young man's maintenance in the community is quite positive.

From the above discussion one can understand the relationship of Orchard Place to the Juvenile Justice Agency. Through the Juvenile Justice Agency we have been able to develop a highly successful program in the community to care for our youth involved with the law. Because I have seen the impact of the Juvenile Justice Agency through my association with PACE, and other observations of programs supported by them, I strongly endorse the re-authorization of the Juvenile Justice and Delinquency Prevention Act.

In concluding these comments I would like to make several recommendations for consideration:

1. I recommend the re-authorization of the Juvenile Justice and Delinquency Prevention Act, noting especially the positive impact of Title II and Title III of this Act.

2. I recommended that within the Act language is included to encourage continuation funding of existing programs. The context in which grants are awarded is such that grants are directed toward "start up" initiatives and although multi-year funding is possible, the emphasis may be placed on "start up" at the risk of minimizing support for existing programs.

I wish to sincerely thank the committee for the opportunity to present before you.

Mr. KILDEE. Thank you. Garry.

STATEMENT OF GARRY HAMMOND, ASSISTANT EXECUTIVE DIRECTOR, HILLCREST FAMILY SERVICES, DUBUQUE, IA

Mr. HAMMOND. I, too, would like to thank the subcommittee for the opportunity to be here today.

My name is Garry Hammond. I am the Assistant Executive Director of Hillcrest Family Services in Dubuque. Hillcrest is a private non-profit social service agency. We are affiliated with the Methodist and Presbyterian Churches.

We have been providing services since approximately 1896. We are a multi-service agency. One of our primary programs is residential treatment for emotionally-disturbed adolescent youth, and also home-based services, where we go into the home and work with families in the home.

Mr. TAUKE. Excuse me, Garry. Could you speak up a little bit?

Mr. HAMMOND. Sure. Okay.

Mr. TAUKE. These mikes are for the recorder. They do not carry you that well.

Mr. HAMMOND. Okay. One of Hillcrest's most recent programs has been the opening of an emergency co-ed youth shelter for twelve children, ages eleven through seventeen. We opened in May of this year.

Hillcrest received a grant through the Iowa Criminal and Juvenile Justice Planning Agency and received approximately $35,000 in JJDP money. This money resulted in Hillcrest being able to obtain an additional $40,000 from other sources. We were able to use the JJDP money as challenge money or seed money to obtain other funding.

Without the OJJDP money, we simply would not have opened a shelter. It is that simple.

In the two years Hillcrest worked on putting together a plan to open a shelter, we did a good deal of research. We worked with local juvenile court officials, officials from the Department of Human Services, as well as private citizens.

Prior to Hillcrest opening its shelter in May of this year, children in the Dubuque area and surrounding rural counties were being sent all over Northeastern Iowa for emergency shelter serv-

ices and many times, children were transported eighty-ninety miles in order to be housed in an emergency shelter.

Some kids were simply not being served. Other children were being inappropriately placed in foster homes that were not equipped to deal with their needs. Other children were being placed inappropriately in jail. Now that we have a shelter in Dubuque, these children are being served locally and there is no need for shelter-appropriate youth to be placed in the local law enforcement center.

When we began looking at the need for an emergency youth shelter, we were told that approximately a hundred youth per year would need a shelter in the Dubuque area. We based our goals and our grant on serving a hundred youth per year. In our first six months of operation, we have served a 111 youth. So, at this rate, we are going to serve well over 200 youth in our first year of operation. Obviously, Dubuque needed a shelter and the OJJDP money was instrumental in that coming about.

Our shelter is a multi-service shelter. We try to serve a variety of youth. We serve a good deal of runaway youth who are running from abusive situations in their own home. We function many times as a non-secured attention center and serve children who have committed or have allegedly committed delinquent acts, and there is not a detention center in Dubuque, so we many times take those children who might be detention-appropriate.

We try to provide a variety of services to kids. We also do some evaluation when requested and make recommendations. Youth stay with us for as little as one day or as long as 30 days, up to 6 weeks. We have served kids as young as six years old and as old as seventeen. We have an on-grounds classroom for children who are not from the school district, kids that are from the school district attend public schools in the district. That helps maintain family unity.

If you have a Dubuque child who is in the emergency shelter, they can continue to go to their local school. That helps them remain in the community and makes it much easier to have them go back into their own homes.

Our staff are very busy with kids coming and going at all times. All of our staff, from the program coordinator through the youth care staff, have bachelor's degrees in human services. Our youth care staff, their average starting salary is under $11,000 a year because of funding limitations.

A secondary effect of the youth shelter in Dubuque and the OJJDP money is to provide some economic development to Dubuque. When Hillcrest began the shelter project, our board made a decision to build a new facility because we could not find an adequate facility in the community. This created a construction project. When the shelter opened, we hired 11 new staff. It created 11 full and part-time jobs in the community.

I would like to see—I would like to recommend that the Act be reauthorized. In my working with kids for nearly twenty years, I have seen frequently kids being inappropriately labelled delinquent, and the term "delinquent" is used as a diagnosis that they are a lost cause, that nothing can happen to them, nothing good can come of them.

Kids who are adjudicated delinquent or considered delinquent many times are looked at as perpetrators, as troublemakers. I think we need to look at them as people who are many times victims, victims of child abuse, victims of sexual abuse, victims of poverty, of inadequate school educational opportunities, kids who have not had adequate opportunities, not just kids who need to be locked up.

OJJDP has helped change that orientation to a more positive orientation.

I would like to recommend an emphasis be placed on treatment of delinquents, not just simply how to hang on to violent kids. Too often, we see kids who are referred to us, who are referred way too late in the game. I think a real emphasis needs to be placed on good, strong initial diagnosis and evaluation of kids when they first enter the system to accurately determine their needs.

Too often, we see kids who have to bounce through a series of failures in the human service delivery system before they receive an adequate level of service. Kids have to fail with office counseling when that is really not appropriate. They may need home-based services. Kids fail in home-based services because they may need residential treatment.

If we have a good evaluation system, we can plug the service in that is needed for that child, rather than have them experience a sequence of failures. We see kids in our residential program that have failed repeatedly at various levels of service intervention. By the time they come to us, they are defeated, depressed, and they basically have given up on life.

It is very distressing to see a sixteen-year-old boy who basically has no hope for the future, has no idea what he is going to do with his life.

An area that I think OJJDP can look at in terms of new emphasis is the educational system. Too often, we have seen the schools be a hostile place for troubled youth, not kids just simply on programs but kids who are "acting out" in the community.

Schools view them as troublemakers and as being very time-consuming and they do not like to work with them. In the Dubuque area, the school board lengthened the amount of time a troubled child can be suspended from school. Troubled children should not be suspended or expelled from school; they should be mainstreamed and kept in school wherever possible. If we are going to turn these kids around, for many of them an adequate education is the key and turning them into a taxpayer versus becoming a tax burden to the community.

I would like to see JJDP work with Public Law 94-142, which is Education of Handicapped Children. Many delinquent kids, if given proper evaluation, would be determined to have educational handicaps that would assist in their obtaining an adequate education.

In summary, I would like to see you reauthorize JJDP. I think it has had a positive impact on the state of Iowa, and particularly in Dubuque. It is money well spent. I do not think the issue is whether or not you should spend the money on this act, the question is whether you want to spend it now or if you want to spend more later. You can either put it into this Act or you can build more prisons.

Thank you.

[The prepared statement of Garry Hammond follows:]

PREPARED STATEMENT OF GARRY A. HAMMOND

I would like to thank the Subcommittee on Human Resources for the opportunity to testify before you today. My name is Garry Hammond, I am Assistant Executive Director of Hillcrest Family Services in Dubuque, Iowa. Hillcrest is a private non-profit, Methodist and Presbyterian church related multi-service, social service agency. It is governed by a voluntary board of 27 trustees. Hillcrest Family Services has been providing help to juveniles and youth in Dubuque since 1896. Currently, Hillcrest provides the following programs to the Dubuque area: Adolescent Residential Treatment for emotionally and behaviorally disturbed youth in five facilities, Family Planning, WIC, Counseling, and Home Based Services.

Hillcrest's residential programs in Dubuque are geared to providing services to youth who are experiencing severe emotional and behavioral difficulties. Many of these youth have had encounters with law enforcement agencies, unsuccessful school experiences and highly dysfunctional family situations.

The most recent program Hillcrest began offering is an Emergency Co-Ed Youth Shelter for twelve youth ages 11-17. The Shelter opened in May of this year. The Hillcrest Shelter received a grant of approximately $35,000 from the Iowa Criminal and Juvenile Justice Planning Agency. This money was provided because of the Juvenile Justice and Delinquency Prevention Act. Simply stated, without the $35,000 grant the Hillcrest Shelter would not have been opened. The grant was used as "seed" money which resulted in an additional $40,000 being raised from public and private sources.

Hillcrest spent approximately two years researching the need for a youth shelter in Dubuque and building community support. Meetings were held with officials from the Juvenile Court as well as the Department of Human Services and private citizens. Prior to the Youth Shelter being opened, children in need of a youth shelter were either being sent to out of town youth shelters that were an hour and a half away or they would be underserved in foster homes or simply were not being served. In some cases, youth may have been inappropriately jailed because there was not a shelter facility in the community. Now that there is a shelter in Dubuque youth can be served locally and there is no need for shelter appropriate youth to be placed in jail.

When Hillcrest was researching the need for an Emergency Youth Shelter in Dubuque, we were told that we could expect to serve approximately 100 troubled youth a year in the Youth Shelter when and if we opened. Grant proposals we submitted projected that the Shelter would be utilized by approximately 100 youth per year. In our first six months of operation the Hillcrest Youth Shelter has served approximately 111 youth. At our current pace we will serve well over 200 youth per year. Obviously, the Dubuque area needed a shelter and it is being heavily utilized. Without the JJDP monies, the shelter would not be in operation today.

Due to the wide variety of youth we serve the Hillcrest Youth Shelter is a multi-service shelter. The shelter serves many runaway youth who are having severe conflict in their own home. We have served children who have been physically and/or sexually abused. We have provided non-secure detention services to youth who have allegedly committed a delinquent act. The Shelter has provided evaluation services when courts and referral workers were unsure of the needs of the youth.

We have had youth stay with us for as little as a day and some youth have stayed well over a month. Boys and girls with ages ranging from six through seventeen are constantly coming and going. We have an on-grounds classroom for youth from outside of the school district. We have youth from the school district frequently going to several different schools. Needless to say, the Shelter is a very busy place and a very demanding place to work. All of the full time youth care staff as well as the program coordinator have bachelor degrees in human services and many have prior work experience in the field. The average starting salary for the direct care staff is only $10,900 due to funding limitations.

The Juvenile Justice and Delinquency Prevention Act was instrumental in getting the Hillcrest Shelter opened and operational. The money we received through the JJDP Act is being put to very good use to serve troubled youth in the Dubuque area. The shelter and indirectly the grant money has had a secondary effect in the Dubuque area and that has been to provide in a small way economic development to the community. The opening of the Hillcrest Shelter resulted in a construction project and the building of a new Shelter facility which created employment opportunities. When the Shelter opened, it also resulted in eleven new full and part time

positions in the Dubuque area. So not only did the money through JJDP provide needed services to troubled youth in the Dubuque area it also created jobs.

I urge that the Juvenile Justice Deliquency Prevention Act be reauthorized. If reauthorized, I would like to see a strong emphasis put on deliquency prevention services and treatment of youth who are considered "delinquents". In my nearly twenty years of experience in working with troubled youth, I have all too frequently seen the label of "delinquent" being inappropriately used to label a youth as a lost cause who is nothing more than an underaged criminal who needs to be locked up. Delinquency is a legal adjudication, it is a clinical diagnosis. If society and the Federal Government wishes to appropriately address the problem of Delinquency, then we must understand who the "delinquents" are. Currently, Hillcrest is caring for up to 80 youth in our residential and shelter programs, most of these youth could be considered delinquent. When Hillcrest serves these youth we look at them not just as delinquents or perpetrators of crimes but also as victims. Victims of chronic child abuse, sexual abuse, alcoholic families, broken families, kids who have been inadequately served in the schools, kids that have bounced around the system sometimes for years never receiving an adequate level of service.

With the reauthorization of the JJDP Act, I would like to recommend that an emphasis be placed upon the services to troubled youth who have committed delinquent acts. I believe through evaluation and needs assessment are imperative when a youth is initially identified as having the potential for delinquency. Services should be aimed at keeping the youth in their home, if possible. However, shelter and residential treatment facilities also have much to offer youth experiencing crisis. Too often youth are kept too long in their own homes or are offered services that are inadequate to the needs of the youth. The concept of least restrictive care has been prostituted many times to mean least expensive care. This has resulted in youth who have experienced repeated failure with various service interventions such as counseling, in-home services, which were inappropriate to the needs of the youth. When they are finally referred for residential services, we will see a youth who is severely depressed, has absolutely no self-esteem and no hope for the future. They have failed literally at everything they have attempted in their lives, they have given up on themselves and society. Too often the services offered is too little too late.

An area that I believe needs to be significantly strengthened is working with school systems to provide increased services and sensitivity to youth who may be considered delinquents. I believe the schools and education hold the key for success with a great many youth in determining whether or not they are going to become burdens to taxpayers or become taxpayers themselves. All too often, schools are hostile and rejecting of troubled youth. Troubled youth are viewed as interfering with the normal operation of the schools and of demanding too much time and attention. In the Dubuque Community School Board lengthened the amount of time that a student can be suspended. This is an inappropriate action for troubled youth in need.

"Delinquent" youth should not be segregated in separated programs and separate school buildings. The key for youth breaking out of the "delinquency pattern" is to be mainstreamed so that they can improve and strengthen their self-esteem. This cannot happen if they are placed in separate buildings where they are then easily labeled and stigmatized. Delinquent youth need the opportunity to interact with "normal" youth. The JJDP Act and PL94-142 need to be coordinated in order to maximize educational opportunities for delinquent youth. Often a delinquent youth has a learning disability or educational handicap which contributes to their delinquent behavior.

In summary, I encourage you to seek reauthorization of the Juvenile Justice and Delinquency Prevention Act. It has had a positive impact in the state of Iowa and the Dubuque community in particular. It is money well spent. It helps turns youth who may become burdens to taxpayers into taxpayers. The money spent on troubled youth also creates jobs and strengthens the economy. Personally, I would have no problem with a tax increase if I knew the money was going into programs such as this. The issue is not whether to spend the money. The issue is where the money will be spent. Society can make troubled youth a priority and commit the resources necessary to adequately address the issue or society can build more prisons. Simply stated, society can pay now or pay more later. Thank you for the opportunity to be here today.

Mr. KILDEE. Thank you, Garry. Mr. Swaim.

STATEMENT OF JIM SWAIM, DIRECTOR, UNITED ACTION FOR YOUTH, IOWA CITY, IA

Mr. SWAIM. Thank you.

I want to thank you all for the opportunity to speak this morning.

My name is Jim Swaim. I have been involved in youth work for eighteen years. The last fifteen years, I have been at United Action for Youth in Iowa City, fourteen of those years as the Executive Director.

I was one of the original young people appointed to the State Advisory Group here in Iowa and I served on the State Advisory Group for several years.

I was also a licensed foster parent for four years and helped raise a foster teen-ager who is now twenty-seven years old.

I also serve on the National Network of Runaway and Homeless Youth Services Board of Directors and was last year's symposium chair and this year's symposium chair, the Symposium on Runaway and Homeless Youth.

And I want to take this opportunity to thank both of you for your active participation in the symposium in Washington, D.C. I know we are not the biggest convention in Washington. You will probably get a lot of political credit for showing up at our meetings, but we appreciate the extra effort and we are looking forward to having breakfast with you again this February.

United Action for Youth was organized in 1970. It is a community-based youth service agency with a staff currently of eight full-time people, myself included, four part-time people, fifteen adult volunteers, about fifteen youth volunteers, and about fifteen people who volunteer to serve on our Board of Directors.

Last year, we served over 500 young people and about a 130 parents were involved in our counselling program. About 300 of the young people that we were involved with were in our counselling and intervention program, which includes services to runaway and homeless youth, and about 200 of the young people we worked with were involved in our comprehensive prevention program, which includes an arts studio and a video studio, that are available for young people.

I think it is important to recognize that if we want to prevent delinquency, we have to offer young people creative opportunities for positive youth development. So, our prevention program is an example of one of those.

We operate our counselling program twenty-four hours a day, and we have a staff person on call at all times to respond in person to a young person in crisis or to an agency that has encountered a young person in crisis, most frequently a law enforcement agency in Iowa City, the Coralville Police Department or the Johnson County Sheriff or the Iowa City Police Department. If they encounter a runaway, they will contact our on-call counselor to come in and deal with that young person so that that law officer can get back out on the street as quickly as possible.

Last year, we served about a—of the young people we served in our counselling program, about a 150 of them were runaway or homeless or in a crisis within their families that was about to lead

to a homeless episode. About eighty of those young people were identified as victims of child abuse. We estimate that there were many, many more that were not identified as sexually abused or child abuse victims.

Our funding as an agency is about forty percent local dollars from local public units of government. The City of Iowa City and the Johnson County Board of Supervisors. About twenty percent of our funds come from private sources, including United Way. About twenty percent of our funds come from state grants and about twenty percent of our funds come from federal grants, primarily the Juvenile Justice Act and the Runaway and Homeless Youth Act.

We also get about $30,000 in in-kind donations and donated materials, and our budget is about $200,000 a year. I, of course, want to recommend and commend you for your work on reintroducing the Runaway and Homeless Youth Act and the Juvenile Justice and Delinquency Prevention Act.

I think that those pieces of legislation have been almost essential to our ability to provide the quality services that we do for young people in our area. Using Juvenile Justice and Delinquency Prevention funds, several years ago, we were able to expand our outreach program from a city program to a county and rural program. So, we were able to expand our counselling to the rural parts of Johnson County.

We were able to start our entire prevention program using Delinquency Prevention Act funds. We were able to start our twenty-four hour crisis intervention program using JJDP funding. We even had a mini-grant, a small $500 grant, that was from Juvenile Justice funds, that allowed us to start our drama troupe, the Dating Cellos, which has received now—it has been going on now for about four years and this summer received a national award from the Secretary of Health and Human Services.

Most recently, we are about to start a project, a jail alternative project, in conjunction with Youth Homes, Bill McCarty is their Director, and we are working on a joint project to provide an in-home detention as an alternative to jail and that is solely using federal funds.

We also this year, for the first time, are a direct grantee for Federal Basic Center Runaway Youth Act funds. This is a three-year grant and, so, it is one of the few times that I do not have to look to the local government to try and pick up the support.

In all of our use of the Juvenile Justice funds, our county, our city and our United Way and our local contributors have picked up the funding for those programs. So, I think our program represents a prime example of how you can use seed money to start innovative projects and if you are successful and you have the support of your community, they will more often than not pick that up, although I will comment that as cities and counties face shortages from the Federal Government, particularly revenue-sharing in our case, where a lot of the funding the city was using to pay for human services was coming from federal revenue-sharing, when those funds dry up, it becomes even more difficult for communities, even though they support this effort, to be able to do it just on local taxpayer dollars.

Our case also, United Action for Youth, has kind of an interesting history in terms of our involvement with the Runaway Youth Act. We were originally funded—excuse me. We were original applicants for Runaway Youth funds, but because of the competition, a program in Cedar Rapids, Foundation II, had a much better grant the first time around than we did.

Since that time, it has been very difficult for us to break in and compete with the other basic centers here in Iowa because there is limited funds. There is a state formula for what Iowa gets.

What that means is that if a new program, if you all are interested in funding a new program here in Iowa, a new basic center, that you have to make a decision as to which existing basic center you are going to defund. Our experience with that has been—I believe this afternoon, are you still visiting YESS, you are going to visit one of the programs that we have had an interesting relationship with.

Shortly after we did not get funded, a couple of years later, we finally did get funded as a delegate agency, which you might be familiar with, that is Foundation II in Cedar Rapids, we became part of their basic center grant. In order to fund us, they defunded the program in Des Moines, and we continued to be funded then for a couple of years.

Then, last year, in order to fund the program in Des Moines, we were defunded. We lost all our funding. We found out about it in August and it was retroactive to July 1st. This year, we competed as a new basic center grant and we were really pleased to get $42,000 in federal support. In fact, we would have stopped offering our runaway program had we not been able to get the federal support.

The thing that was most discouraging and really frustrating and just a tremendous letdown was that in order for us to get our funding, the program here in Des Moines had to get defunded. So, on the one hand, I am left feeling good that I can continue the program in Iowa City and I am going to be able to serve the young people that are in our area, but there is no comfort in knowing that that happens at the expense of the many children who are homeless here in Des Moines, and I think you have to address that in the reauthorization, that if you are going to start new basic centers, which I think are absolutely needed, you have to come up with some way to not continue to defund many of the quality programs that exist around the country.

I want to depart from that for a minute and talk a little bit about our regional network. I am also on the Board of Directors of MINK, which is a regional network of runaway and homeless youth service providers.

The MINK was organized in the late seventies to provide an opportunity for those people who are involved in youth work and work with runaways to interact with each other and to share some training with each other. We primarily offer training and technical assistance to each other. We have a general idea exchange and coordinate a number of projects, one of which was to do research on what kinds of services are provided with the Runaway and Homeless Youth Act money in our four-state region.

The MINK, by the way, stands for Missouri, Iowa, Nebraska and Kansas. I will save some time by just entering or offering that as part of the record, but there are two things in there that I want to point out.

One is that the MINK agencies shelter about 387 young people every month and that is encouraging. That is, there are almost 400 young people that we are able to provide shelter. The alarming statistic that came out of this study is that about 140 young people are turned away every month from the shelters in our four-state region.

That is an astounding figure. I talked with the Director of Foundation II yesterday at our MINK meeting in Kansas City. In October, they turned away forty young people who were requesting services voluntarily from their shelter.

Given all of the hype and the public attention to runaway and homeless youth, how we can allow forty young people every month to be turned away for lack of bed space is just shameful. It is particularly shameful in light of how communities respond when an individual young person becomes missing.

I think it was about a year ago, a year and a half ago, a young man left the Iowa State Fair and was missing for four days. Some assumed abducted. His home community was able to raise tens of thousands of dollars overnight to try and locate that young person in the form of a reward. But, yet, that same community and communities like that around this state are unable to raise that money to prevent young people from running away in the first place.

So, I would comment on that. I, of course, again, want to reiterate my support for the Runaway and Homeless Youth Act and Juvenile Justice Act.

In closing, it was interesting to listen to Beje and some of the other folks this morning. I am reminded of Cora Bussy Hillis, who is a woman who was a child advocate here in Iowa at the turn of the century. She worked in about 1910, from about 1910 to 1920. She was active in what then was called the Mother's Congress, which was a national movement to try and deal with child welfare issues.

She tried to convince the legislature that we had to stop putting kids in jail. In fact, she was able to get on the books back at about 1920 a law that would prohibit putting kids in jail.

So, it is frustrating to sit and think that we are about to approach the end of this century and that Cora Bussy Hillis' dream of no children in jail is still yet to be realized. I hope by the time that my daughter is a teen-ager, we will stop jailing kids in Iowa.

Thank you.

[The prepared statement of Jim Swaim follows:]

TESTIMONY BEFORE THE HOUSE SUB-COMMITTEE ON HUMAN RESOURCES

FIELD HEARING ON RE-AUTHORIZATION OF THE

JUVENILE JUSTICE AND DELINQUENCY PREVENTION ACT

CHAIRMAN DALE KILDEE, MICHIGAN AND HONORABLE TOM TAUKE, IOWA

PRESIDING

PRESENTED 12/4/87, DES MOINES, IOWA

BY:

JIM SWAIM

EXECUTIVE DIRECTOR

UNITED ACTION FOR YOUTH

IOWA CITY, IOWA

Thank you Chairman Hildee and Congressman Tauke for the opportunity to appear before your committee today. My name is Jim Swain and I have been a youthworker for eighteen years. For the last fifteen years I have worked at United Action for Youth in Iowa City, Iowa, and for the last fourteen years I have been the Executive Director there. I was one of the original youth appointees to the Iowa SAG when it was first created and served nine years as one of its members. My wife and I were also licensed foster parents in Iowa and raised a teen-aged foster son. I am currently on the Board of Directors of the National Network of Runaway and Youth Services and am the Chairperson of the upcoming National Symposium on Runaway and Homeless Youth.

I appreciate the support you have shown in responding to the needs of young people in this country. Your encouragement each year in meeting with youthworkers during the Symposium indicates your commitment not only to the issues affecting youth, but your interest in the people who are trying to serve them. I look forward to February 88 when we will visit you again during the upcoming Symposium in Washington DC.

United Action for Youth was organized in 1970 as a community based non-profit agency. Located in the heart of Iowa City, UAY served over 500 youth and 130 parents last year. About 300 youth were served in UAY's counseling and intervention program and 200 were served in the prevention program. We have a staff of 8 full time professionals, 4 part-time workers including youth, 15 adult volunteers, 15 youth volunteers, and a volunteer Board of Directors representing the broad interests of the community. I

am attaching a brief program description as part of the record. (attachment 1)

UAY provides counseling and crisis intervention to area youth and families on a 24 hour per day basis and charges no fee for its services. Of the youth served in the counseling program, about 150 were runaways, homeless, or in a family crisis about to lead to an out of home episode. Nearly 80 youth were identified victims of abuse and maltreatment. I am also attaching the most recent annual statistical summary for the record. (attachment 2)

Public funding allows UAY to be able to provide these services without charging a fee. Our operating budget is over $200,000. About 40% of that is from local units of government, 20% state grants, 20% federal support, and 20% from private contributions including the local United Way. We also receive in-kind support of about $30,000 in the form of donated goods and services, including the help of volunteers.

UAY represents a good example of how federal JJDP and RHYA funds were intended to be used. Such funds have been essential in developing our community programs and improving local services. Juvenile Justice funds allowed us to expand our Iowa City program to the rural parts of Johnson County; they were used as seed funds to develop our comprehensive prevention program; and they allowed us to implement our 24 hour per day crisis intervention capacity. In each of these cases, the local community has picked up the financial support of the program after it has had demonstrated a record of success. Even the mini-grants we

received from Iowa's formula grants were used to start projects that have become on-going programs. Our drama troupe, known as THE DATING CELLOS, was started with a mini-grant. The troupe is now in its fourth year and this year received an outstanding achievement award from the Department of Health and Human Services for its success involving youth to help youth. UAY has just begun an in-home detention program as an alternative to locking children in adult jails. We are using JJ funds to get this off the ground and expect the program to continue with on-going funds from the court.

Area youth have also benefitted from RHYA funded services we offer. You are aware of course that Iowa's funds from RHYA have remained at the same level for several years, about $223,000. Level funding is a reality for most states since the national funding level has not increased. At the same time, Congress has encouraged the start-up of new "Basic Centers" to serve the growing needs of runaway and homeless youth. Our program was funded as a sub-contracting or "delegate" agency through an original strengthening grant to Foundation II Shelter, a basic center in Cedar Rapids. To do this, a program in Des Moines was de-funded. Last year our sub-contract with Foundation II was de-funded to start a new basic center in Des Moines, YESS. This year UAY received a basic center grant, but again at the expense of de-funding YESS in Des Moines. Simply put, RHYA funding must increase if this chaotic system of funding and de-funding is to end. There are more than thirty states in which similar problems have occurred. While I don't advocate continued funding if a

program is not meeting standards set forth in the Runaway Youth Act, it seems wasteful fiscal policy to start and stop programs that are demonstrating success in their communities in order to give the appearance of being able to open new centers elsewhere.

I am attaching for the record, (attachment 3) a survey of the services provided by agencies which are members of MINK, a regional network of youth services funded under the Networking grants from RHYA. (MINK stands for Missouri, Iowa, Nebraska, and Kansas, the four states in region VII) Given the limited funds to agencies and basic centers, the training and information sharing that networking provides is an essential element in our success with troubled youth and families. You will note the vast services MINK agencies offer to youth at risk. The survey is part of our effort to help with the Youth 2000 project now underway. While the survey indicates we have effective services in which we can take pride, it also points to a shameful reality faced by runaway and homeless youth in Iowa, the region, and the nation. While providing shelter to 387 young people each month, we are turning away 139 runaway and homeless youth because of being at capacity. The shelter in Cedar Rapids turned away 40 youth in October alone because they were already full. A nation that boasts of its compassion for the needy should not tolerate turning its back on homeless children, especially those who are voluntarily seeking help.

The Networking grants allow us to gather this type of information as well as other important data about the needs of youth and

families. As I mentioned, networking also allows us several training opportunities at a very very low cost. At a time when public service is often ridiculed, it is good to get together with one's professional peers to celebrate success and exchange ideas that have worked in other communities. Training fees for 30 staff to attend a national conference would probably cost $10,000 while the cost of a MINK training event for the same number of people has been less than $2,000.

In looking at issues raised during re-authorization, I encourage you to look at strengthening linkages called for in RHYA. An important linkage to consider would be one with community mental health agencies as well as area health care providers. The emotional wounds many abused runaway and homeless youth suffer require healing and care beyond the limited scope of a shelter staff. I also encourage you to look at a special focus on homeless youth similar to the focus previously in the act around "chronic" runaways. I'm sure you also want to keep intact the strong emphasis on youth participation. Since UAY has been successful in developing effective prevention programs, I would encourage you to look at putting some emphasis in that area as well. I hope all four funding areas will be maintained in the act: Basic Centers; Networking; the Hotline; and discretionary research.

In the JJDP Act I'm certain of your commitment to remove children from jails. I think our programs have demonstrated the success of continued formula grants to states. Without this funding we will lose the many years of progress for which we have

worked so hard since 1974.

In summary, I commend you for taking the time to find out what the practical impact of JJDP and RHYA has been in Iowa. I encourage re-authorization and a continuation of the effort to respond to runaway and homeless youth without locking them in adult jails. I know you will be compelled to mention the federal budget deficit as limiting what can be spent on our nation's youth. As my Congressman, your colleague, Dave Nagle pointed out to me recently, we spend more money in a month keeping the space exploring vehicle Galileo, safely sheltered on the ground awaiting launch, than we spend in a year providing safe shelter to the hundreds of thousands of runaway youth who are asking for help.

I'm reminded of one of the inspired Iowa children's advocates of the early 20th century. Cora Bussey Hillis was part of the National Mothers' Congress in 1899. She was committed to making the world a safer, healthier place for children and was one of the first Iowans to ask the legislature to stop the practice of jailing children with adults. She helped draft Iowa's first juvenile code and took on the enormous task of asking the legislature to create a child development institute at the University of Iowa. After a decade of effort and enduring personal suffering and tragedy in her own family, Cora found the legislature was close to appropriating the funds needed for her dream. The 1914 session of the Iowa legislature was closing and, faced with the choice of a new sheep barn for the state fair or

the child development institute, decided the needs of the sheep were more pressing. Cora was only that much more committed to her cause for children. When 80% of the boys examined in Des Moines failed their World War I draft physical, Cora was finally successful in shaming Iowa to provide the funds needed for the Child-Welfare Research Station. I hope you can convince your colleagues that we can afford as much to shelter youth today as we spend sheltering one space craft in a year. Thank you for your consideration.

Attachments:

1) United Action for Youth agency profile and program description.

2) United Action for Youth FY87 statistical summary.

3) MINK Network youth service summary.

4) MINK newsletters, summer, fall 87.

Attachment #1

UNITED ACTION FOR YOUTH / Synthesis Studio
410 Iowa Ave. / P.O. Box 892 / Iowa City, IA 52240
(319) 338-7518

UNITED ACTION FOR YOUTH, INC. (UAY) is a private, non-profit, community agency funded primarily by local and state government, as well as by United Way. UAY provides the following programs for young people, ages 12-18, in Johnson County. Services are available at no charge to all Johnson County youth.

COUNSELING: UAY accepts referrals for individual and family counseling from parents, agencies and school counselors. Conflict mediation is offered to prevent or to resolve a crisis; such as a runaway problem, family seperation or substance abuse.

CRISIS INTERVENTION: UAY counselors are available on a 24 hour basis to respond to adolescents/families in crisis. Call 338-7518 at any time and an on-call counselor is available to respond in person.

RUNAWAY SERVICES: UAY offers mediation and counseling services to resolve problems before a young person runs away. With family cooperation, time-outs can also be arranged as an alternative to running. Counselors are also available to assist youth/families in the event of a runaway crisis.

SUPPORT GROUPS: For young people or adults who share common concerns. Support groups for parents of adolescents, children of alcoholics, sexually abused adolescents, and a group for recovering chemically dependent adolescents, will be made available to interested youth/parents.

PEER COUNSELING: Training groups for young people who are interested in improving their interaction skills, learning about helping resources in the community and building a peer support group are being provided throughout the year.

RECREATION: UAY sponsors group recreation activities including volleyball, basketball, frisbee golf, orienteering, nature hikes, camp outs, falconry, and swimming. UAY will also work with schools or groups in outlying communities of Johnson County to schedule recreational activities. Individual recreation programs can also be arranged.

SUPPORT SERVICES FOR VICTIMS OF ABUSE: Individual counseling and advocacy for adolescents who have been sexually or physically abused; additional advocacy given to adolescents involved in the court process. Educational sessions will be offered for parents and victims throughout the year on the effects of sexual abuse and prevention strategies in conjunction with Lutheran Social Services.

COMMUNICATION WORKSHOPS: Assists participants in diminishing passive and aggressive behavior and improving feelings of self-control. Assertive responses to various social situations such as dates, parties and peer conflicts are practiced.

UAY is tax-exempt—contributions are tax-deductible

SYNTHESIS ARTS WORKSHOP: Lessons and studio time are available to young people in our new music recording studio, television production, super 8 animation, 35MM black and white photography, ceramics, guitar, keyboards, and electronic music. In addition, special workshops are periodically scheduled. Synthesis will visit individual school classrooms for workshops in any of these areas.

SITUATIONAL DRAMA: A performing drama troupe comprised of area high school students portrays problem situations faced by children and teenagers. "The Dating Callos" is in its fourth year and has performed in 20 area schools and numerous community and professional groups. All performances include the audience in a guided discussion. Performance topics currently include peer pressure, substance abuse, children of alcoholics, sexual abuse, domestic violence, running away, shop lifting and helping others. The troupe has openings for high school students interested in drama and theatre.

SPEAKERS BUREAU: UAY staff are available to speak to classes, parent groups and community organizations on a variety of topics: Teen Runaways, Child Safety, Juvenile Justice, Adolescent Sexuality or other topics of interest.

TUTORING: Volunteer high school and college students will provide help to young people wanting to improve their academic skills. Tutoring activities are individually arranged and sessions are held at the UAY office. Every summer a three week refresher class is offered to improve Math and English skills of 7th, 8th and 9th graders.

PERSONAL SAFETY WORKSHOPS: Trainings for teachers, childcare workers and parents are offered covering such topics as child sexual abuse prevention, mandatory reporting, self-esteem building and discipline techniques. Self-protection workshops are offered for adolescent groups. Safety skills and assertive responses are emphasized.

PARENT SUPPORT SERVICES: Counselors are available to discuss parenting of adolescents with individuals. Brainstorming options and information on youth issues are offered to assist families in working on their own. Staff are especially skilled in the areas of discipline, sexuality, step-families and communication.

THIS IS UAY'S STAFF ROSTER. CALL THEM FOR MORE INFORMATION.

Jim Swaim	- Executive Director
Ginny Nase	- Counseling Director
Linda Nelson	- Prevention Director
Ken Schmidt	- Family Crisis Counselor
Casey O'Connor	- Victim Support Counselor
Sam Thompson	- Prevention Counselor
Mark Jensen	- Youth Counselor
Myrna Frantz-Gerhard	- Youth Counselor
Pedro Bicchieri	- In-home Counselor
Rachel Kay	- Secretary, Bookkeeper

Attachment #2

OUTREACH PROGRAM
Quarterly Program Report Form
Fiscal Year87

	Jul-Sep	Oct-Dec		Jan-Mar		Apr-Jun		
	1ST QTR	2ND QTR	YR TO DATE	3RD QTR	YR TO DATE	4TH QTR	ANNUAL	(%)
• YOUTH SERVED								
Carryovers	75	80		57		110		
Referrals In	39	20	59	60	119	43	162	
Intakes	40	70	110	75	185	48	233	
Crisis Intervention	67	73	140	105	245	63	308	
Referrals Out	41	55	96	47	143	65	208	
• Client Characteristics								
Male	44	60		61		71	138	
Female	71	90		71		87	180	
Iowa City metro area	88	114		108		122	235	
Small towns/rural	27	36		24		36	83	
In school	101	139		128		153	289	
Dropout	8	8		2		3	20	
Out of school (grad)	6	3	2			2	9	
Participating in Synthesis	31	43		24			76	
RECORDED CLIENT CONTACTS								
• Area of Conflict								
Law	120	190	310	110	420	101	581	
Housing	84	103	267	100	367	112	459	
Medical	53	98	151	122	273	158	431	
Drugs	208	239	447	184	731	210	483	
Family	391	521	912	400	1312	435	1747	
School	162	278	440	287	447	227	874	
Employment	87	91	178	113	291	113	604	
Self	303	278	641	377	1018	439	1457	
Peers	197	373	570	254	824	310	1134	
Other	88	88	176	16	192	55	247	
No conflict	332	479	811	286	1097	318	1415	
Domestic Violence		158		45	203	90	293	
Child Abuse		177		134	311	144	455	

Page 2
United Action for Youth
FY 87 Outreach Report

	Jul-Sep 1ST QTR	Oct-Dec 2ND QTR	Oct-Dec YR TO DATE	Jan-Mar 3RD QTR	Jan-Mar YR TO DATE	Apr-Jun 4TH QTR	ANNUAL	(%)
• Service Rendered/Contact								
Crisis Intervention	67	73	140	105	245	63	308	
Ombudsperson	28	154	182	182	364	133	497	
Counseling	476	394	870	424	1294	429	1723	
Consultation	422	590	1012	474	1486	439	1925	
Intake Needs Assessment	28	54	82	38	120	49	169	
I & R	187	387	574	217	791	240	1031	
Followup	316	305	621	241	862	265	1127	
Prevention	539	768	1307	571	1878	611	2489	
Other	61	321	382	76	458	83	541	
After Hours Calls		66	66	107	173	79	247	
Application		123	123	186	311	185	476	
• Referral Source								
Social Service Agency	6	5	11	27	38	14	52	
School	4	11	15	6	21	7	28	
Law Enforcement	6	4	10	7	17	3	20	
Individual	6	12	18	6	24	17	41	
Other	17	14	31	14	45	2	47	
• Location of Contact								
Office	360	425	785	398	1183	414	1597	
Synthesis	181	127	308	53	361	108	469	
Recreation Center	60	136	196	117	313	51	364	
School	217	689	906	323	1229	418	1647	
Home	146	131	277	82	359	90	449	
Agency	230	329	559	329	959	273	1232	
Youth hangout	329	291	620	339	959	355	1314	
Telephone	460	601	1061	619	1680	462	2142	
Other	54	101	155	113	268	51	319	
Court		37		33	70	81	151	
• ACTIVITIES/NO. ATTENDING								
Drug Seminars	---	11/167	11/167	13/40	24/207	2/6	26/213	
Peer Helper Sessions	8/34	51/237	59/271	16/57	75/328	29/92	104/420	
Recreation	26/96	18/116	44/212	36/131	80/343	31/76	111/419	
Electronic Arts	18/65	21/43	39/108		39/108	14/20	73/128	
Tutoring	10/6		10/6		10/6		10/6	
Assert. Training	1/2		1/2	1/4	2/6		2/6	
Cellos	1/180	4/106	7/486	4/343	11/833		11/831	
Other				25/139	25/139	1/4	26/143	

UNITED ACTION FOR YOUTH
SYNTHESIS PROGRAM
Quarterly Program Report Form
Fiscal Year 1986

	1ST QTR	2ND QTR	YR TO DATE	3RD QTR	YR TO DATE	4TH QTR	ANNUAL
YOUTH PARTICIPATING							
Phase I	52	52		55		47	129
Phase II	23	22		19		17	28
Phase III	8	8		8		11	19
Drop-ins	2	10		5		16	34
PARTICIPANT CHARACTERISTICS							
New Clients	25	27	52	35	87	40	127
Male	49	54		56		57	135
Female	36	38		31		33	74
Iowa City Metro Area	79	78		76		86	178
Small Towns/Rural	6	18		11		14	31
In School	73	78		63		81	180
Drop Out	3	4		6		6	11
Out of School (graduate)	9	10		8		5	18
WORKSHOP/STUDIO USE							
Days Open	48	51	96	51	147	63	210
Hours open	287	257	521	253	774	344	1118
Sign-ins	328	608	936	469	1405	437	1842
Staff hrs. outside wkshop	167	222	389	200	589	167	756
Hours video checkout	30	114	144	84	228	84	312
Sound Studio checkout	109	105	214	78	292	153	445
Photo/pottery studio ch.	3/25	16/24	19/49	33/8	52/57	12/4	64/61
PROJECTS COMPLETED/IN PROG.							
Sound	21/2	11/10	32/12	12/8	44/20	24/6	68/26
Video	1/5	5/18	6/23	13/3	19/26	8/5	27/31
Animation	4/4	7/1	11/5	2/1	13/6	9/0	22/6
Photography	2/1	5/1	7/2	7/3	14/15	0/0	14/15
Ceramics	7/0	6/4	13/4	1/2	14/16	1/1	15/17
Paint	0/0	0/0	0/0	1/2	1/2	1/0	2/2
Drama	ongoing biweekly with the "Spring Caller"						
PUBLISHED INFORMATION							
# Mini wkshops/# par.	13/98	21/139	34/237	8/9	42/327	18/100	60/427
# Major wkshops/# par.	0/0	0/0	0/0	1/20	1/20	1/20	2/40
Volunteer staff	2	6	8	5	13	4	17
1-on-1 lessons	39	65	104	76	180	51	191

ATTACHMENT #3

1987 REPORT ON SERVICES, STRENGTHS & NEEDS OF MISSOURI, IOWA, KANSAS, NEBRASKA (MINK) YOUTH SERVING AGENCIES

This data is for the calendar year January 1, 1986 to December 31, 1986. This data reflects results of a survey from 21 MINK agencies. (List attached)

MINK is an acronym for Missouri, Iowa, Nebraska, Kansas. MINK is a network of youth serving agencies in the four state area. The organization responsible for data input is MINK.

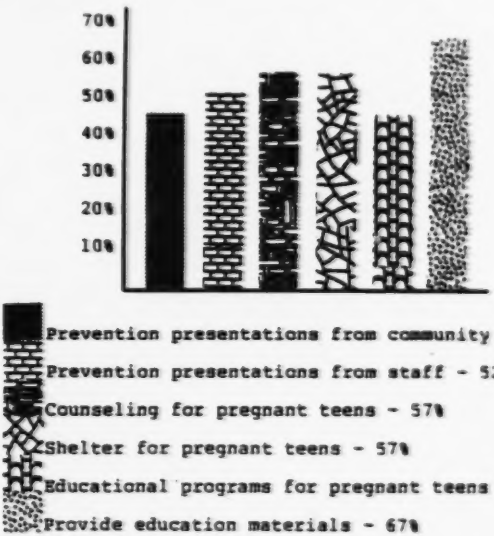
Youth 2000 is a program cosponsored by the Department of Labor and the Department of Health and Human Services with the participation of the Department of Education. The program's aim is to heighten national awareness about the nature and extent of the employment prospects and problems of today's young people, and promote solutions to these problems.

Youth 2000 is designed to meet the following objectives:

* Reduce the incidence of teen pregnancy
* Reduce substance abuse among young people
* Reduce the mortality rate from unintentional injury and suicide
* Increase the reading and general literacy levels of youth
* Increase child development opportunities with strong parental involvement

The following numbers and percentages reflect the number of programs provided by the MINK agencies that meet the Youth 2000 objectives.

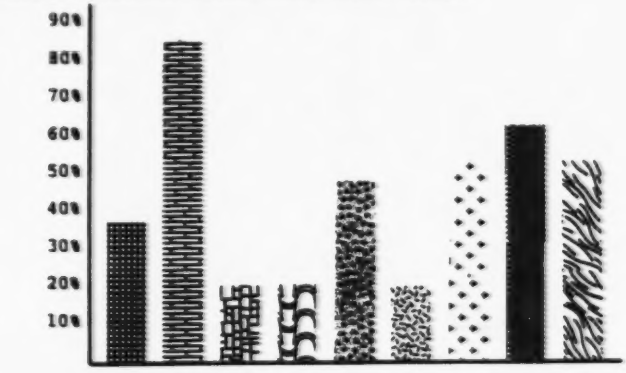
* REDUCE THE INCIDENCE OF TEEN PREGNANCY



Additional services listed by the agencies:

- Support groups by staff
- Young mothers' group
- Community services group
- Young fathers' support group
- Grandparents' support group
- Information on child development and fetal alcohol syndrome
- Residential program
- Project Hope-federal grant
- Educational material provided through Birthright, Inc.
- Prevention through education and improved self esteem
- Referrals for teens to receive services from Health Department for teen mothers
- Referrals to Planned Parenthood

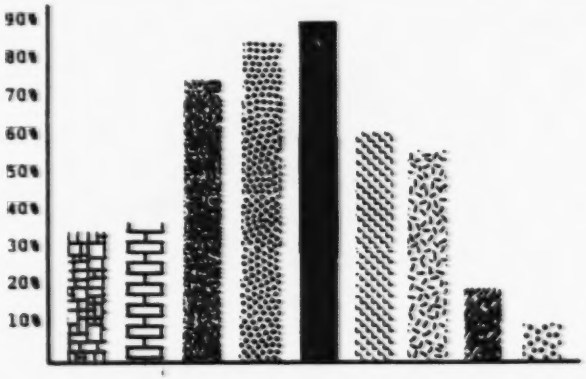
* REDUCE SUBSTANCE ABUSE AMONG YOUNG PEOPLE



- Support groups for children of alcoholics - 38%
- Provide educational materials regarding substance abuse - 86%
- Recovery programs - 19%
- Relapse prevention programs - 19%
- Counseling for substance abuse related problems - 48%
- Family counseling for children of alcoholics - 19%
- Prevention presentations from community - 52%
- Prevention presentations from staff - 62%
- Crisis line - 52%

Additional services listed by the agencies:
Community education inservice treatment training
Drama troupe-situational drama performances and electronic arts
2 recovery houses for up to 35 teens
ADA Contract to serve youth
AA Alanon group
"Just Say No To Drugs" Club sponsored by Optimists Club
Aftercare shelter for youth in primary treatment
Counseling on limited basis
Referrals to drug program, community resources, etc.

* REDUCE THE MORTALITY RATE FROM UNINTENTIONAL INJURY AND SUICIDE



Suicide prevention programs - 33%

Suicide intervention programs - 38%

Provide educational materials regarding suicide,etc. - 76%

Provide shelter to homeless - 86%

Self-esteem groups or presentations - 90%

Self-esteem materials - 62%

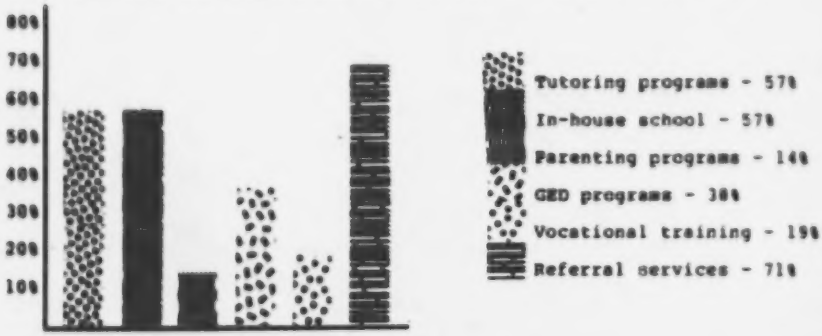
Outreach programs - 57%

Nutritional programs - 19%

Eating disorders programs - 10%

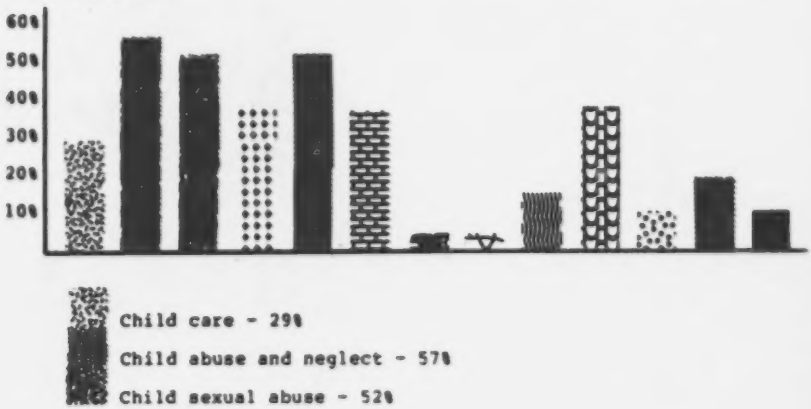
Additional services listed by the agencies:
Summer youth employment program focuses on safety
Telephone crisis line
Referrals

* INCREASE THE READING AND GENERAL LITERACY LEVELS OF YOUTH



Additional services listed by the agencies:
Pre-employment skills training programs for eligible youth on-the-job and in-classroom training
Career Awareness Program for teen girls
Liaison with schools to assure attendance and assist with special needs as well as completion of homework

* INCREASE CHILD DEVELOPMENT OPPORTUNITIES WITH STRONG PARENTAL INVOLVEMENT



Child welfare services - 38%

Family counseling - 52%

Foster care - 38%

Guardianship - 5%

Head Start - 5%

Infant care - 14%

Parenting education - 38%

Spouse abuse and neglect - 10%

Therapeutic daycare - 19%

Therapeutic foster care - 10%

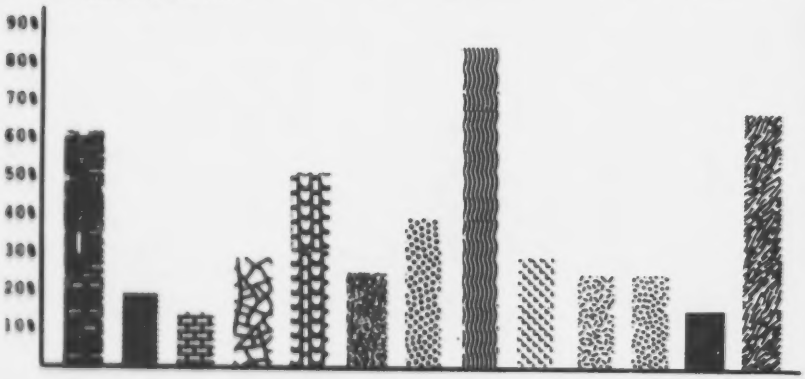
Additional services listed by the agencies:

Training for parents and day care centers with sexual abuse curriculum

Volunteer training assists adults in communication skills with children

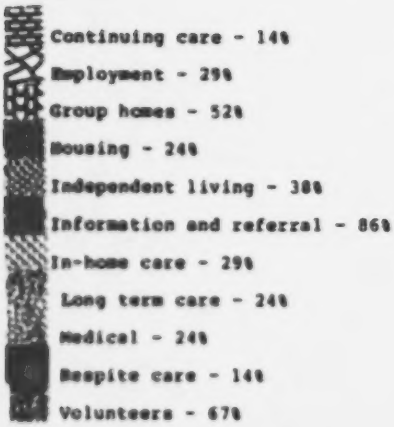
"Kidability" classes to prevent child abuse, especially, sexual abuse

IN ADDITION TO THE PROGRAMS THAT MEET THE YOUTH 2000 OBJECTIVES, THESE ADDITIONAL PROGRAMS WERE MARKED BY THE AGENCIES AS BEING IN USE.



Aftercare for runaways - 62%

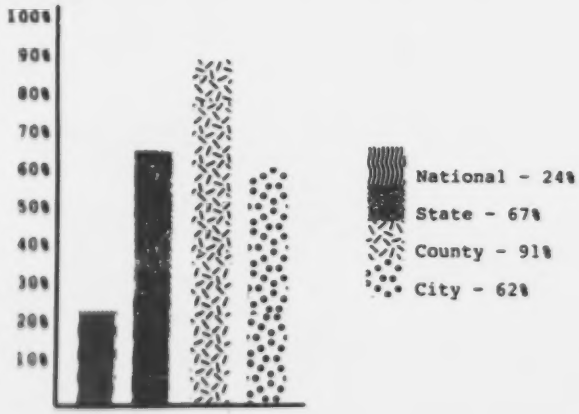
Community based living - 19%



Additional services listed by the agencies:
- Semi-independent living
- Shelter for victims of abuse and rape
- Outreach program for juvenile delinquents
- Emergency care outreach services
- Latch-key program after school and in summer
- Out-patient counseling to avert shelter placement

THE FOLLOWING INFORMATION WAS ALSO GAINED FROM THE SURVEY:

CATCHMENT AREA FOR THE MINK AGENCIES (Agencies were allowed to check more than one.) Catchment area is the area that the agency serves.



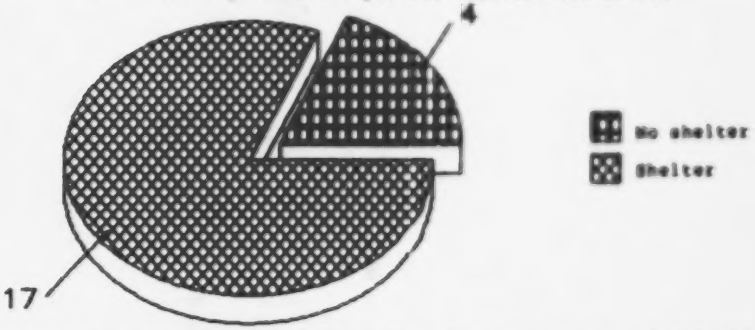
The total number of staff employed by the HIHH agencies with the high and low answers in parentheses.

574 full time	248 part time	430 volunteer
(97) (0)	(66) (2)	(90) (0)
average @ 27	average @ 12	average @ 20

The total number of shelter staff employed by each organization with the high and low answers in parentheses.

158 full time	171 part time	122 volunteer
(30) (0)	(92) (0)	(25) (0)
average @ 8	average @ 8	average @ 6

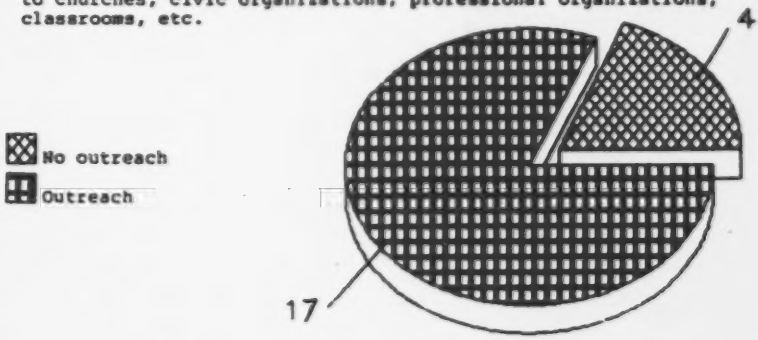
81% of the organizations provide shelter. 19% do not.



387 people are provided shelter in an average month. The high and low answers were 69 and 5, respectively. The average number for a program is 23.

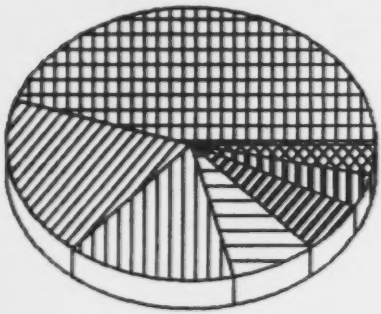
139 people are turned away from shelters in an average month. The high and low answers were 42 and 0, respectively. The average number for a program is 8.

81% of the organizations do outreach. 19% do not. Outreach is promoting community awareness through presentations and speeches to churches, civic organizations, professional organizations, classrooms, etc.



The total number of people reached in an average month by the organizations is 2,387. The high and low answers were 779 and 10, respectively. The average number for a program is 140.

The average annual operating budget breaks down as follows (Only 38% of the agencies were above average.):



THE FOLLOWING WERE IDENTIFIED AS STRENGTHS BY THE MINK AGENCIES:

I. STAFF
- A. Case management technique
- B. Personnel and program management capabilities
- C. Committed staff with low staff turnover
- D. Interviewing and selection process for staff
- E. Staff support system
- F. Professionally trained staff - M.S.W., M.A., Ph.D. and consulting psychiatrists
- G. Holistic approach to treatment

II. COMMUNITY SUPPORT
- A. Advisory boards
- B. Strong community support
- C. Active Board of Directors
- D. Successful outreach efforts in community
- E. Support of court, human service and schools
- F. Networking with community agencies
- G. Volunteers
- H. Networking with city resources
- I. High visibility

III. SERVICES
- A. Crisis
  1. Identifying abuse victims
  2. 24-hour crisis intervention
  3. High success rate with runaways
  4. Work well with victims of sexual abuse
  5. Suicide prevention and intervention

B. Education
   1. Educational programs
   2. Good alternative school
   3. 88% of youth involved in school program
   4. Employability remediation and self-sufficiency skill training and career development services for high-risk youth
   5. Education continuation
   6. Educational resource center

C. Counseling, Therapy and Aftercare
   1. Residential counseling
   2. Family counseling program
   3. Ongoing counseling
   4. Individualized attention for youth and their families
   5. Outpatient therapy
   6. Long-term care including aftercare programs involving reintegrating youth back in their home with family counseling and follow-up
   7. Family reunification through family systems counseling
   8. 30 days in residency evaluation program

D. Misc.
   1. Prevention programs
   2. Health assessment care systems
   3. Service for minority clients
   4. Structured shelter care for court ordered clients
   5. Strong youth participation program
   6. Strong residential programs
   7. Comprehensive services to youth and their families

IV. MISCELLANEOUS STRENGTHS
   A. Success in helping serious juvenile delinquents in community and out of training school
   B. Low incidence of runaways from shelter
   C. Success with children from failed placement elsewhere
   D. High rate of low-income and minority participants
   E. 80% of youth go to appropriate placements
   F. Majority of placements return home

THE FOLLOWING WERE IDENTIFIED AS CONCERNS AND NEEDS BY THE MINK AGENCIES:

I. COMMUNITY SUPPORT
   A. Development of agency pool willing and able to participate in collaborative efforts
   B. Volunteer coordination
   C. Outreach program
   D. Educate the general public on social service needs statewide

II. SERVICES
   A. Vocational and educational needs
   B. Resources to meet demands
   C. More beds to meet shelter needs
   D. Counseling for sexual abuse victims
   E. Expansion of emergency shelter
   F. More living space

G. Training programs
H. Expansion of services to meet client needs
I. Extensive drug treatment
J. Development of family support for residents

III. FUNDING
A. Competitive salaries
B. Capital improvement funds
C. Inadequate funding for shelter program and agency
D. Long hours and accelerated burnout due to inadequate funds for staffing
E. Low state commitment in dollars to human services
F. Funding
G. Broaden funding base for school
H. Funding is inadequate for staff compensation
I. Reduction of state funding forcing workers to pull youth before they are ready to leave
J. Cost per day far exceeds what state reimburses at
K. County dollars drying up

IV. MISCELLANEOUS
A. Initiative in counseling from residents and families
B. Juvenile justice system not operating effectively
C. Referring agencies still learning how to use shelter
D. Coordination of evaluation and assessment and placement planning with juvenile court and Department of Human Services
E. Development of alternatives to the placement of children in adult jails

The organizations that participated in this survey and data research are listed below:

Children's Square U.S.A.
Chapter 1 Runaway Program
500 North 7th Street
Council Bluffs, Iowa 51502
Frank Kros, Director of Chapter 1 Runaway Program

Comprehensive Human Service
The Front Door
P.O. Box 1367
Columbia, Missouri 65205
(314) 874-8686
Charles H. Servey, III, Executive Director

Father Dunne's Home For Boys
853 Dunn Road
Florissant, Missouri 63031
(314) 837-0513
Gerald W. Hayes, Program Director

Foundation II, Inc.
Foundation II Youth Shelter
1251 3rd Avenue SE
Cedar Rapids, Iowa 52403
(319) 362-2176
Steve Meyer, Executive Director

Francis Lewer Youth Services
Suite 201, 2 South Adams
Mason City, Iowa 50401
(515) 423-7312
Bruce Hoffmaster, Executive Director

Girls' Club of Sioux City
723 Myrtle Street
Sioux City, Iowa 51103
(712) 252-1088
Susan Houchin-La Lux, Executive Director

Iowa Comprehensive Manpower Services, Inc.
Various Youth Employment Projects
1216 High Street
Des Moines, Iowa 50010
(515) 245-7800
James D. Underwood, Executive Director

Marian Hall Emergency Shelter
325 North Newstead
St. Louis, Missouri 63108
(314) 531-0511
Patricia Bednara, Administrator

Panhandle Community Service
Panhandle Youth Shelter
3350 North 10th, Box 668
Gering, Nebraska 69341
(308) 635-3089
Joan Cromer, Executive Director

Polk County Youth Services
Polk County Youth Shelter
1548 Hull Avenue
Des Moines, Iowa 50316
(515) 286-3674
Jerry Kopke, Director

South Central Youth and Family Services Commission
P.O. Box 355
Indianola, Iowa 50125
(515) 961-8421
Phil Wooderson, Executive Director

Synergy House, Inc.
Synergy House
P.O. Box 12181
Parkville, Missouri 64152
(816) 741-8700
Jack McClure, Executive Director

United Action For Youth
Box 892
Iowa City, Iowa 52244
Jim Swaim, Executive Director

United Methodist Youthville, Inc.
Oasis I
P.O. Box 210
Newton, Kansas 67114
(316) 283-1950
Bill Preston, Newton Campus Director

Valley Shelter Homes, Inc.
942 Marquette Street
Davenport, Iowa 52804
(319) 323-8094
John McBride. Executive Director

Wyandotte House, Inc.
Neutral Ground
632 Tauromee
Kansas City, Kansas 66101
(913) 342-9332
Clarence Small, Program Director

Youth Emergency Services and Shelter of Iowa
921 Pleasant
Des Moines, Iowa 50309
(515) 243-7825
Susan Gehring, Executive Director

Youth Emergency Service of Missouri
6816 Washington
St. Louis, Missouri 63130
(314) 862-1334
Linda James, Executive Director

Youth In Need
Youth In Need Shelter-YIN House
529 Jefferson Street
St. Charles, Missouri 63301
(314) 946-3771
Liza Andrew-Miller, Executive Director

Youth Service System
Freeway Station
2202 South 11th
Lincoln, Nebraska 68502
(402) 475-6261
Mary Fran Flood, Executive Director

Youth Shelter Services, Inc.
Multi-level Projects
P.O. Box 1628
Ames, Iowa 50010
(515) 232-4331
Margaret Hess, Prevention/Education Director

#4

Summer 1987 Newsletter of Missouri, Iowa, Nebraska, Kansas

Network of Runaway and Homeless Youth Services

MINK members discuss presentations at the prevention conference. Photo by Linda Nelson

Prevention Training Conference

MINK sponsored a training conference June 18-19th in Iowa City, Iowa. 45 participants, including 15 youth, attended from the four state area.

With the focus on youth participation and prevention programming, participants attended workshops on the theory of prevention, Child Sexual Abuse Prevention, Using the Media Arts as an Approach to Prevention and Using Situational Drama. There was time also set aside for MINK member input to the MINK Board and for Youth-to-Youth Networking facilitated by Susie Norbeck, NNR&YS Youth rep. Board member from our region.

Participants had a chance to tour the Synthesis studio at United Action for Youth (and make many bizarre noises with the new synthesizers). Participants were also treated to a performance by the award-winning "Dating Cellos" drama troupe as part of the presentation on situational drama.

Linda Nelson

MINK Staff Exchanges

On June 25-26, Youth Emergency Service from Bellvue, NE sponsored a group staff exchange in Omaha. With the help of Jennifer O'Leary's coordination, 23 MINK agency members attended inservice training by Dennis Meier, Synergy House, on "Treating Sexual Abuse in a Residential Setting." Mink agencies from Des Moines, Lincoln, Iowa City, Bellvue, Sioux City and Parkville were represented.

Another exchange took place earlier in the Spring when Heather Soener, YESS staffperson from Des Moines visited Project SAFE PLACE as begun by the YMCA Shelter for Runaways, Louisville, KY.

Exchanges to happen late this summer will be between the Panhandle Youth Services in Scottsbluff, NE and shelters in Wyoming as well as between the Girls Club of Sioux City and prevention services at United Action For Youth, Iowa City.

If you are interested in a staff exchange opportunity, please contact the MINK office with your idea.

Marla Nelson

Youth 2000

I attended the Youth 2000 Conference in Kansas City. Youth 2000 has been designed and enacted to alleviate the growing problems of youth. The program is co-sponsored by the Department of Labor and the Department of Education. Youth 2000's aim is to heighten awareness about the nature and extent of the employment prospects and problems of today's young people, and promote solutions to these problems.

Many of our youth are at risk of being underqualified for the future - for the skilled jobs they could fill and rewarding lives they could lead. If the present trends continue, the proportion of young people entering the labor force who are not prepared for employment and self-sufficiency will increase substantially. America cannot afford to lose a generation of youth to poverty and despair.

We need to play a part in insuring that young Americans will have the opportunities to fulfill their potential. Some suggestions for individual involvement include:

* Schools must stretch beyond the traditional teaching of the three R's to fill the gaps caused by changes in family structures and work patterns. Participate with your local PTA or School Board. Do volunteer work for your local schools, and vote yes when schools genuinely need and ask for more tax money.

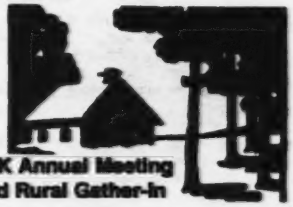
* Illiteracy is a critical issue and communities need to begin to make a frontal attack on illiteracy through pre-school programs and special initiatives. Anyone who can read or write can help if they are willing. Support your local pre-school and Headstart programs. Volunteer to help with a RIF (Reading Is Fun) program. Be sure that each and every child in your community has the chance to learn to read.

* Schools cannot and should not be asked to take on the tremendous task of preparing our youth for adulthood, without assistance. Families, communities and businesses must get involved. Businesses can provide information to students about the world of work by serving as mentors and role models, providing work experience, and loaning equipment for student training. Trade and technical schools can provide information about vocations that students may pursue. Community organizations and families can interact by offering special services and support.

* Partnerships are the key. Businesses, communities and government must mount a campaign that will encourage youth to make the most of their abilities and opportunities. Get involved!

As parents, educators, employers, and concerned citizens of your communities I urge you to be concerned about this goal. I urge you to join your efforts to the national Youth 2000 program and do your part in your own community for the good of American's children's future.

Jack H. McClure



MINK Annual Meeting and Rural Gather-in

September 20-22 are the dates for the fourth MINK annual meeting and for the third annual rural caucus Gather-In. Once again, the joint conference will be held at the Iowa State 4-H camp near Madrid, Iowa. The setting is a lovely, peaceful one that is very conducive to sharing and working. The weather in late September should be lovely as well, allowing for more outdoor activities than in the past.

The meetings will begin with a MINK Board of Directors meeting with a general membership meeting to follow. At the general membership meeting the officers and Board members for the upcoming year will be elected. Potential candidates are now being sought and anyone interested should contact Jack McClure in the MINK office — (816) 741-8700.

Monday and Tuesday will be training days with two tracks offered. One track will primarily be for MINK agencies and the topic will be supervision skills. This topic includes issues such as conflict management, team-building, and creative problem-solving for anyone who supervises other workers. There will be a lot of experiential learning involved in this training.

The second track will be for agency people involved with the Rural Caucus and will focus on advocacy.

Youth participation is encouraged in the three day event and, if enough youth register, special events will be planned by and for youth members. The conference is a great one to include youth in because of the very low cost. MINK will pay for the lodging and meals for all those attending from member agencies. Only transportation must be furnished by the agencies. Each agency may send several representatives. Registration materials will be mailed out in mid-summer.

Susan Houchin-Laluz

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REPORT ON NNRYS BOARD MEETING
4/30/87 - 5/3/87

I. SUMMARY

The prime focus of this meeting seemed to be on advocacy, especially the work on reauthorization of OJJDP and RYHA and the Younger Americans Act.

II. PPAL (Public policy, Advocacy and Linkages Committee)

Most of the PPAL business was follow up on the "big" legislation. They also developed a rationale for increased funding for RHYA which has since been sent to you in the Policy Reporter. Susan Houchin--Laluz chaired PPAL in the absence of Judith Algeo. Iowa was discussed in light of the ruling on enforcement of jail removal.

III. MST (Membership, Standards, and Training Committee)

MST was to have addressed a proposal to turn operation of Youthnet over to a subcontract with Youthworks of Medford Oregon. The proposal was acted on by the executive committee instead and Youthnet will remain a direct responsibility of Lupe Lopez in the NNRYS DC office.

The Western states conflict (requiring dual membership in both NNRYS and a regional network) was resolved. An attorney advised the board that the agreement was in fact in conflict with NNRYS by-laws and Western States has been sent a new agreement. Also Hawaii requested designating a new Pacific Islands region. They have been advised that this would also be in conflict with current by-laws.

Network News will be continued to affiliate who will be asked to pay a subscription, however no one will be dropped since this is a valuable marketing tool for new memberships of NNRYS. Youth also want a youth to youth newsletter which will be tried on a limited basis. I will also be sending all current federal grantees an invitation to join NNRYS. We have several in region VII who are not direct members.

IV. PMB (Personal, Management, and Budget Committee)

A new staff position of Fund Developer was created and will be filled some time this year. The "Change for Children" campaign was put on hold for a year, so MINK should go ahead on its own with other regions. There are no other major fund raising efforts ready for implementation at this time.

V. SYMPOSIUM 88

Dates were set for the first week of February starting on Sunday, January 31 at the Omni Shoreham in DC. Make your plans now. I am looking for ideas on corporate sponsorship at least for youth participation. Please get me ideas and a theme.

VI. GENERAL

The Minority Task Force is complete and the Minority Caucus will continue during the year. They are looking for a region to host a mid-year meeting and MINK may be asked. The summer conference looks good and is expected to be full by July 1st so get your registration in now. Jonathan Cutler's role as honorary chair for a national youth policy (YOUNG AMERICANS ACT). Susan Houchin- Laluz announced the rural think tank in Madrid and we will get some participants from other regions.

I would like MINK to be thinking of who might serve as Regional Rep next year so that we can begin information and skill building for that person. I am planning to not seek that position a fourth time. It was fun to be part of the MINKblock with Susan Houchin-Laluz and Susie Norbeck. The next board meeting is prior to the summer conference.

Jim Swaim
Region VII Representative, NNRYS Board of Directors

YOUTH VOICE on NNR&YS Board

It looks as if this is going to be an exciting year on the NNR&YS Board of Directors! With many new members, including three new youth participants, there seems to be a strong sense of vitality and positive energy present. As one of the three new youth board members, I found my first full length board meeting a very intense, but positive experience. I'm especially excited about having such solid youth representation. After having some time to think and plan, we are beginning to start into action. Some of the projects that we are pursuing include: a questionaire on youth participation (to gather information on different youth participation programs across the country), a youth newsletter, a brochure describing the Symposium experience from a youth point of view and the compilation of a mailing list for youth contacts in agencies throughout the country. We hope to get these ideas out of the planning stages this year and place youth participation in a permanent active position on the Board, regardless of the specific individuals available at the time. We've had very solid support from the Board and I'll continue to report as these projects develop.

Susan D. Norbeck

page 4

Youth In Need Young Moms Program

While teenage parenthood is laden with risks and costs for all concerned, it is a reality that must be accepted and dealt with in the most constructive manner possible. The attitude that teen pregnancy and parenthood can be an opportunity for character development is helpful for those confronted with the problem.

"In some cases the adolescent mother is able to shift what could be a very interrupting force in her life into a more positive direction." Bushkheis and Gist contend that for many teenage mothers, "the gratification she experiences in being a successful mother helps her establish self-confidence and achieve a new integration of her personality." They stress that this more balanced perspective can change public policy toward teenage parents; "knowing that ther are strengths to draw upon, rather than just weaknesses to overcome in working with teenage parents, health professionals can have a far more positive impact on the development of both the teenage mother and her child. An awareness of the young mother's potential and accomplishments is imperative for planning treatment and parent education programs that will maximize the positive behavior shown by many of these teenagers," they conclude.

Youth in Need's Young Moms Project focuses on helping young parents do the best job of parenting they can. By providing support groups and counseling for young parents, YIN hopes that the potential traumas of pregnancy and parenthood can be minimized. Young parents are encouraged to examine their futures, their relationships and their roles as parents. Jan Wilson, the staff member for the Young Moms program, also helps the youth address the practical as well as the emotional difficulties of being a young parent. The young parent receives help with locating child care, baby clothes, health care and help figuring out how to stay in school or get a GED. Association with other young people experiencing pregnancy or parenthood helps the young parent deal with the loneliness, isolation, and depression that exacerbates the problem of young parenthood.

Many resources are required by these young families. YIN is looking for volunteer and in-kind donations (such as maternity clothes, baby items, and toys) as well as financial support for this program. Anyone interested in helping should contact Jan Wilson or Liza Andrew-Miller at 946-3771

During 1987 the St. Charles Community Council and Youth In Need will focus on the problems of teen pregnancy and parenthood in St. Charles County. This group will explore the problems, the resources and the gaps in services needed by pregnant teens and parents. Anyone interested in participating in this county-wide effort should contact Judy Loeffler,946-7200 or Liza Andrew-Miller at Youth In Need, 946-3771.

Young Mom's is funded by the Children's Trust Fund. Help prevent child abuse. Fill in Line 26C on your Missouri State Income Tax Form.

(Reprinted from the River City News
YIN, St.Charles,MO)

Project SAFE PLACE

Project SAFE PLACE officially opened in Des Moines, IA thanks to YESS, on June 1, 1987. It is being well received and supported through-out the community. People are learning about the program via the media, posters and signs that are displayed through-out the city, and word of mouth. Student cards were distributed to all Des Moines High School youth in May, and will be re-issued to all students in grades 7-12 in the fall. Also, in-person presentations will be made at each of the Junior High and High Schools beginning in September.

Currently, there are a total of 25 SAFE PLACE sites oriented and open to serve youth. There are 18 certified, trained volunteers through-out the city; with another 14 scheduled to be trained on June 29. To date, we have had 8 youths utilize the SAFE PLACE program, 3 by calling in after learning about the service, and 5 by going to SAFE PLACE sites. Of those 5 youth, 3 came to the shelter; one for 6 days and the other two for less than 8 hours.

We are receiving very positive reports about Project SAFE PLACE from site employees, volunteers, business and Human Service representatives, community citizens, and most importantly, the youth themselves. We expect that Project SAFE PLACE will continue to grow and prosper as more and more people become familiar with it.

Heather Soener

PROGRAM PROFILE

The Synthesis Arts Workshop, A Positive Alternative for Youth

BACKGROUND

The Synthesis Program has been operating as a part of United Action for Youth in Iowa City since 1975. Developed as an innovative approach to prevent delinquency, Synthesis was originally funded in part with crime prevention funds from the Law Enforcement Assistance Administration. The original intent of the program was to involve youth in the arts, especially electronic arts such as sound and video recording, as a means of improving individual self-esteem and encouraging positive alternatives to involvement in delinquent behavior.

Using the arts in work with children is not a new idea. Arts therapy can be noted in early youth programs of juvenile institutions of the nineteen thirties. Use of the arts in preventing delinquency is also not new. In 1968 the National Council On Crime and Delinquency recognized a strong potential for arts related programs to reduce delinquency. In April of that year NCCD issued a report summarizing a survey of no less than 84 programs that involved at-risk youth in some form of the performing arts. The Synthesis Program is one of many such programs that have existed in communities throughout the country.

Synthesis operates today as the cornerstone of a comprehensive community based prevention effort. While reducing delinquency continues as one of its major objectives, Synthesis is intended as a preventive response to a wide range of other problems affecting young people. Most important to this role is the program's capacity to involve youth in helping each other and their community. Over 1000 youth have been involved in or created several hundred projects, many of which made significant contributions to the well being of the Iowa City community. Nearly all of the projects have contributed to the self-esteem of the participants as documented in pre/post testing of early participants in the program.

At the time Synthesis was developed, much of the literature about delinquency prevention examined alienation and poor self esteem as factors contributing to the delinquency of individuals. (Journal of Research in Crime and Delinquency, July 1975; Criminology, February 1976; Journal of Criminal Justice, March 1976). The concept of positive peer culture was the subject of several books and articles at the time and the notion of delinquency as a learned behavior was also written about. These ideas lead some youth workers to explore the learning process of adolescents, expecially in non-school settings, as a means to improve delinquency prevention.

Prevention has taken on a more prominent role in youth work today in part because of the emphasis of the Juvenile Justice and Delinquency Prevention Act and perhaps as a result of groups such as the National Committee to Prevent Child Abuse and the Prevention Advisory Council of the National Institute of Drug Abuse. While research about prevention is still relatively limited, what does exist continues to point to a process of empowering individuals as an effective way to prevent not only delinquency, but child abuse, teen substance abuse, teen suicide, teen pregnancy, and a wide range of other social problems of concern to public policy makers. In an age dominated by technology, helping youth master electronic music recording or teaching them how to use a video camera or produce a documentary television show are obvious means of empowerment.

DAY TO DAY OPERATIONS

Synthesis is open Tuesday through Saturday, after school and evening. There is one fulltime coordinator, two part-time youth staff and about fifteen regular volunteers including consulting artists. Some of the youth staff are paid through JTPA or other local jobs programs and last year several regular volunteers received college or high school credit for their work.

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Synthesis

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There are weekly times set aside for activities such as guitar and drum lessons, film animation with school groups, and recording sessions. Other times are set aside for group activities. Some time slots are open just for drop-in activities. There are also time slots where individuals and other groups can reserve the studio, staff time, or equipment for their own projects.

In FY 96, Synthesis was open 218 days and 1,842 studio usages were recorded. 68 sound projects (band demo tapes, electronic music compositions, etc.), 27 video projects (documentaries, video art, etc.), 22 animated films, and 14 photography projects were completed as well as several projects using traditional art forms. One-hundred ninety-one (191) free music lessons were given and 62 workshops to area schools and groups were attended by over 500 youth. Besides helping youth produce high quality, finished projects, we also encourage youth to just drop-in, explore the equipment and make noise. A finished project is not always necessary for a youth to use the studio, but is often the result as they discover what they can do. It is intended that staff and volunteers be used as artistic and technical resources for participants. The goal of the program is to pass on knowledge to participants, empowering them so they can control and operate the equipment themselves.

PARTICIPANT PROFILE

Last year the Synthesis Arts Workshop served 208 Johnson County youth. 127 were new to the program that year with 180 in school, 11 dropped out (several more returned to school during the year) and 17 were recent high school graduates.

All services are free and available to any youth, 12-18 years of age in Johnson County. A survey of participants showed the 61% were from low to moderate income families using HUD income guidelines. Thirty-one were from rural parts of the county and there were 134 males and 74 females in the program. Sixty-two of the participants were also involved in UAY's Counseling and Intervention program while the remaining 147 youth only participated in prevention programs. Participants come to the program in a number of ways. While some are referred by other agencies or schools, others hear about the program from the outreach efforts of UAY, from parents or from advertising. Most however find out by word of mouth from peers and all services are voluntary.

FACILITIES AND EQUIPMENT

Synthesis offers a broad range of arts programming. Some things, such as the drama troupe require only rehearsal space and no equipment. With some areas, such as photography, we loan out 35mm cameras, use the city recreation center darkroom for printing. We also have a Super-8 camera to loan kids interested in animated and other forms of film-making. For some traditional arts activities we have used loaned or donated equipment such as a loom or potters wheel. We have our own portable video equipment and for videos requiring a lot of editing we have access to editing decks at the city library and cable TV franchise. In the area of music, we have a complete sound recording studio for individuals and local bands to use (an 8 channel mixer, a 4 channel reel to reel, a 4 channel cassette recorder, 2 channel cassette and reel to reel decks for mixing down to stereo,

Lonnie Vivians, Synthesis Arts Workshop, videotapes MINK conference presentations. Photo by Linda Nelson

mics, stands, audio tape, etc.). We also have instruments to use in music production and lessons (electric guitars and amps, drums, pianos, and acoustic guitars which can be checked out to those taking lessons). Our newest addition is our electronic music production center which includes an older Arp synthesizer as well as 3 new synthesizers (including a sampler), a sequencer, drum machine, mixer, and 4 channel cassette recorder.

Contrary to how extensive and "high tech" this all might sound, this is not in a glamorous facility. UAY is located in a house in a residential part of town and the "studio" is crammed in a small upstairs room. The workshop maintains an informal, drop-in spirit.

YOUTH PARTICIPATION & LEADERSHIP

The foundation of successful youth/adult partnerships and the development of youth leadership in programming and advocacy rests on a strong commitment to educating youth. Program participants need skills if they are to be prepared for leadership roles and have a real share of the power in a program's decision-making. An arts workshop such as Synthesis provides an excellent teaching opportunity for helping youth develop these skills.

Besides the positive experiences to be had by agency clients and community youth in an arts workshop, Synthesis also provides United Action for Youth with youth who have the time, energy, and commitment to learn new skills and provide leadership in governing the program. Participants are eager to be educated to fill leadership roles as well as to be role models for other clients in crisis.

UAY maintains several youth participation efforts within its programs. One such effort is the Synthesis Youth Advisory Board. This group meets monthly to help Synthesis staff plan programming, make decisions and initiate projects. These meetings are open to all participants and about 10% of Synthesis clients participate. Minutes and meeting notices are sent to inform and remind youth of meetings. The meetings are informal and based on consensus decision-making with youth rotating leadership roles. In the past they have helped with developing the orientation education philosophy, deciding schedules, and assessing studio needs.

The orientation rap developed by the youth advisory board and staff is the initial step towards educating and empowering youth participants as to their rights and responsibilities in the program. All youth coming into the program are requested to recieve this information. The orientation is educational in that it informs youth of the services and opportunities both in the Synthesis program and UAY's Counseling and Intervention program. We also use this initial opportunity to begin the process of empowering these youth by exchanging contracts regarding their rights and responsibilities in the program.

The idea behind this process of orientation education and signed agreements is to set an initial positive atmosphere in which participants understand what we do, where they fit in and how important they are as volunteers contributing back to the program for other youth. We explain our funding and participants understand that we charge no fees for services, equipment use, lessons or materials . We desire their time and input, not their money, to keep the program going. The are cherished as a resource.

The Dating Cellos Drama Troupe perform for MINK. Photo by Linda Nelson

Synthesis also includes an award winning drama troupe composed of area youth who volunteer their time and talents to perform scenes about various issues of concern to young people. The DATING CELLOS, as they are known, have performed in over twenty schools and for dozens of youth groups and conferences about topics ranging from child abuse and running away to sex role stereotyping and peer pressure. Each scene is followed by a discussion with the audience about what they viewed and how they might respond in a similar situation.

The group rehearses weekly and is open to new participants at various times in the year. DATING CELLOS has developed over thirty different scenes about problems faced by youth. The process of the troupe is an excellent example of the type of leadership development that can occur. Troupe members pick a subject (eg. dating violence); bring in guest speakers and written resources on the topic (rape line staff, local crime statistics); discuss the information and their own personal experiences and ideas on the subject; then work together as a group to develop a scene which will stimulate discussion by the intended audience.

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The Dating Cellos Drama Troupe perform for MINK. Photo by Linda Nelson

SYNTHESIS
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CONCLUSION

The intent of this presentation is to provide youth workers a model of prevention that is creative and increases youth participation in an agency and a community. Syntheis provides for both primary and secondary prevention, reaching all youth but especially many at-risk youth. Its most important feature is that it allows youth to show each other that they care about what happens to individuals and the society in which they live.

The following piece by world reknowned musician Pablo Casals best summarizes the goals of Syntheis:

A MUSICIAN'S VIEW OF CHILDREN

Each second we live is a new and unique moment of the universe, a moment that never was before and never will be again. And what do we teach our children in school? We teach them that two and two make four and that Paris is the capital of France. When will we also teach them what they are? We should say to each of them: Do you know what you are? You are a marvel. You are unique. In all of the world there is no other child exactly like you. In the millions of years that have passed, there has never been a child like you. And look at your body- what a wonder it is! Your legs, your arms, your cunning fingers, the way you move! You may become a Shakespeare, a Michelangelo, a Beethoven. You have the capacity for anything. Yes, you are a marvel. And when you grow up, can you then harm another who is, like you, a marvel? You must cherish one another. You must work - we must all work - to make this world worthy of its children.

Linda Nelson and Jim Swalm

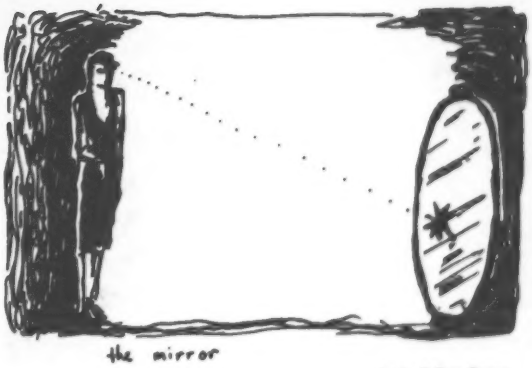
Drama Troupe Receives Award

In June, it was my great pleasure to go with the Dating Cellos on their first major out of state performance opportunity. Although it was difficult to arrange all the logistics to leave the great state of Iowa, it was well worth the effort.

The drama troupe, represented by five young people and our fearless leader, Jim Swalm, headed out from Iowa City at 5:00 am on Wednesday, June 10 to arrive in Kansas City early enough to participate in the awards presentation segment of Jean Elder's address (Jean Elder is the Assistant Secretary of Health and Human Services). Along with the Kansas City Cobras Marching Band, the Dating Cellos drama troupe was being presented with an award to recognize our efforts to help other young people.

We arrived on time and after quick showers and a change of clothes, we anxiously hurried down the large assembly room. When our time came, we made our way up the podium and proudly accepted our award. It was a very exciting experience to be publicly recognized for our work.

Susan D. Norbeck



As I look in the mirror,
I see the reflection of a child.
Waiting to grow up,
But not quite ready to let go...
Unsure of whether to play
with the doll
or push it aside
one moment longing
for protection
the next,
wanting to be free.
I pick up the lipstick,
and trace in red,
a smile that fades.
No, not quite ready yet.
I pick up the doll
and close the door.

Art by Colleen Coover

POEMS FROM YOUTH
SYNERGY HOUSE, PARKVILLE, MO.

Forward into eternity,
the journey of my soul.
Completion of the task at hand,
being true to my goal.
Writing down the prophecy,
knowing that what I seek is true.
This is the journey past life,
into uncertainty
once, twice reality
and into truth.

To all the staff
At Synergy house
You made me laugh
Then scatter like a mouse.

You taught me manners
and different styles
So here's our banner
keep it out of my files.

You made my stay here
A lesson to learn
You're all so sincere
So now I'll adjourn.

"Graphics by Colleen Coover, youth board member, United Action for Youth, Iowa City, IA."

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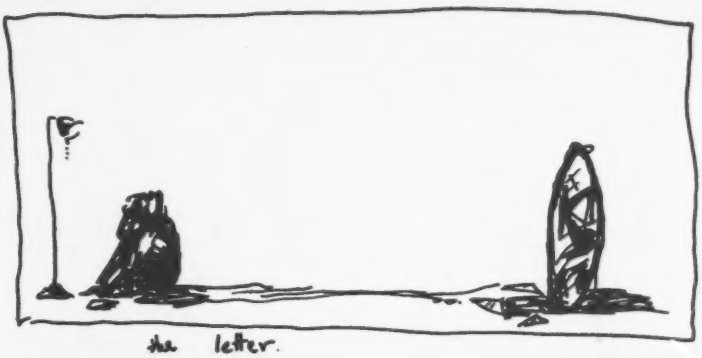

Art by Colleen Cooves

INCREASES FOR FOSTER CARE PAYMENTS VETOED

On June 10 Governor Branstad included increases in state foster care payments among the items that he vetoed. So as not to appear partisan, I will quote a recent Des Moines Register article which I feel fairly describes what has happened here. There is certainly enough blame to be passed around to all parties on the in-fighting and disagreements between the political principals involved in this drama, which has resulted in our being caught in the cross fire, and being left with zero increase for the coming year, bearing in mind that over the last two years we have sustained cuts. "About $2.7 million was erased from the budget that would have paid for increases in reimbursements to foster parents and group homes..... The $2.7 million was part of about $8 million cut from spending that would have aided day-care services, family planning, nursing home residents, care for mentally retarded and disabled Iowans, and a multitude of other social services.... The cuts also resulted from disagreements betwen lawmakers and the governor on how to revise the state's income tax system and pay for a $2.4 billion state budget.... Because of those and other differences, lawmakers and Branstad failed to concur on how much money was available in the state budget. Although Democrats who control the Legislature say they left town with a $9 million balance in the till, Branstad maintained he had to cut $35 million or the state would have been left with a deficit... Branstad is now saying the budget will have a $2 million surplus if he approves a second bill passed during the Legislature's special session that raises $25 million in taxes from businesses."

John McBride

June 11,1987

The Honorable Terry E. Branstad, Governor
State Capitol
Des Moines, IA 50319

Dear Governor Brandstad:

In line item vetos to make up a projected shortfall in next year's state budget, you have cut programs for dependent children, children in shelter homes and group homes, and children in the not-for-profit institutions across Iowa that have taken the place of orphanages.

While funding for many programs and personnel was left intact or increased, you have chosen to reduce desperately needed funds for the care of homeless and dependant children.

In 1985 and again in 1986, funds to providers of state foster care were cut - by 3.39% and by 2.7% repectively. Now, for the third year in a row, we have been given the third, and deepest cut - 6.5%.

I protest in the strongest possible terms resolving fiscal problems at the expense of dependent and homeless children, and I call upon you to reverse this clear and harmful pattern of declining support for children who are the responsibility of the State of Iowa.

Sincerely,

John D. McBride
President
Iowa Shelter and Detention Association

Prevention and Youth Participation at the Girls Club

Reducing the high school drop-out rate and helping young children protect themselves from sexual abuse are the focus of programs made possible by grants received recently by The Girls' Club of Sioux City.

Girls' Club staff and volunteers have begun a series of Kidability workshops to teach approximately 150 Sioux City children how to recognize and prevent child abuse. The workshops, funded in part by a priority grant from the United Way of Siouxland, are being offered to children at the Girls' Club and at other locations throughout the city.

"Child abuse, particularly sexual abuse, is one of the most troubling problems facing our community," says Girls' Club program director, Jan Klimiades. "Reports of sexual abuse are so numerous that the Department of Human Services has declared itself in a crisis."

Kidability is a skill-building prevention program designed to increase children's confidence and ability to protect themselves. The workshops help children identify potentially unsafe situations and ways to avoid them. Kids also learn to distinguish between good and problem touches, and learn how and whom to ask for help.

In cooperation with Western Iowa Technical College, The Girls' Club of Sioux City is also developing a Career Awareness Program designed for disadvantaged youth ages 16-21. The program, funded by federal education dollars, provides comprehensive vocational planning services for potential high school drop-outs.

A survey of local drop-outs revealed that they would not have left school if their feelings of self-worth and interpersonal relationships had been positive.

"Our goal for this program," says Tammy Sobieski-Joy, program coordinator, "is to improve the self-esteem of our girls so that they will be better prepared as young women to provide for themselves and their families, alone if necessary."

The primary purpose of any Girls Club, and the Girls Club of Sioux City is no exception, is to prevent those activities which cause negative labeling and low self-esteem. All of the programs at the Club build on a girl's strengths and teach her new skills so that she can feel better about herself.

Specifically targetted for prevention activities at the Club are adolescent pregnancy, drug and alcohol abuse, and child sexual abuse. Information about being female is built into several classes that are offered for girls in different age groups. The information is age appropriate and good decision-making skills are taught.

Throughout all of the summer's prevention activities at the Girls Club, youth are involved in a major way. The Club has five summer youth employment slots and three were filled by Girls Club members. Youth employees fill a variety of jobs, from gymnasium supervisor to arts and crafts teacher. In addition to the JTPA employees, many of the Club's teen members volunteer their services at the Club. A select group of teen members who are in the Career Awareness Program are available to volunteer for community projects as well. All in all, the Girls Club depends heavily on youth workers to deliver services to its younger members. Needless to say, they provide a great source of role-modeling for the younger girls.

Susan Houchin-Laluz

From our MINK President .....

Dear MINKies,

This year is flying by! Most of the group activities of this fiscal year are completed. There are a few staff exchanges that are being done, and some site visits will be taking place. The National Training will take place in Minneapolis and many MINK folks will participate! I hope to see you there!

Our Annual Meeting will be in Madrid, Iowa, September 20-22. Not only is this our third annual meeting, but it is also our third annual rural Caucus meeting. Not only will this be a benefit to you in making and keeping MINK friends, but there will also be folks from around the nation interested in Rural Issues.

The election of Board members and officers will take place at our annual meeting. I am concerned that we work together to be as inclusive as possible. Susan Houchin-Laluz has agreed to chair the Nominating Committee. Please be open to the Nominating Committee's asking you to be a willing participate.

The Board President and Regional Representative are elected at large. A State Representative is chosen by the delegation from each state. There are 3 at-large seats elected from membership. The Past President also serves on the Board.

I want to encourage those of you who have not had occasion to be as active in our MINK activities to be assertive and get involved.

Sincerely,

Jack H. McClure

M.I.N.K.

P.O. Box 14403
Parksville, Missouri
64152

(816) 741-5638

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NEWSLETTER INPUT SOUGHT

If you have any suggestions / announcements / articles / ideas / photos / graphics / letters / comments / etc. about the MINK Newsletter, please send them to Linda Nelson, Editor, c/o United Action for Youth, 311 N. Linn St., Iowa City, IA 52240.

DEAR ABBY

Dear Abby

I'm 15 years old. I have a serious problem with my Dad. He has been sexually abusing me for the past 10 years. I tried to stop him, but I couldn't. I'm pregnant and he is the father. I can't tell my mother. Even if I could it would be of no use. She's on a constant high. It's all my fault. What should I do ?

Desperate

Dear Desperate,

First of all, it's not your fault. You should tell someone — a friend, the police, or someone you trust. Someone has to be told. Your father is seriously ill and needs help. Once you make the first step, things will become easier to deal with because you won't be alone.

Good Luck! I care.

-by D.C.

Reprinted from the No Name News, Marian Hall Shelter, St. Louis, MO

Mr. KILDEE. Thank you very much, Jim.
Bill McCarty.

STATEMENT OF BILL McCARTY, EXECUTIVE DIRECTOR, YOUTH HOMES, INC., IOWA CITY, IA

Mr. MCCARTY. Thank you.

I am suffering from laryngitis. So, forgive me. I will try to keep my comments brief and save my voice for the question and answer period as much as possible.

I am Executive Director of Youth Homes, Incorporated, in Iowa City. We are a private non-profit child welfare agency, much like the other agencies represented here. I have been working in Iowa's child welfare and juvenile justice system for the past eighteen years.

Among my other past responsibilities, they have included county director of juvenile detention and emergency shelter facilities, county coordinator of delinquency prevention services, and state juvenile parole officer.

My present agency, Youth Homes, operates an emergency shelter program, a residential treatment program, an independent living program, and as Jim mentioned, together with United Action for Youth, we are establishing an in-home detention program.

I would like to comment primarily this morning on the issue of the jail provisions. It seems to me from my experience and from the comments that I have heard others make over the years, that that is the area that generates the primary controversy and concern around the Act.

Without question, the limitations on the use of adult jails do impose hardships and inconveniences on local law enforcement and juvenile justice officials. On the positive side, the combination of the limitations on the use of jail and the funding that we have been talking about here for innovative programs has led to the development of numerous programs and services for these children in Iowa.

I am a co-founder and past president of the Iowa Shelter and Detention Association, which is an organization of nineteen agencies that provide alternatives to jail for children in Iowa, and that organization, I do not believe there is an agency in that organization that was not either founded or had expanded their services programs to children using funds from the Juvenile Justice and Delinquency Prevention Act.

So, it has had a very positive effect and has led to the development of many good programs here in Iowa. Good alternatives. The problem, it seems to me, is that these alternatives, such as shelter care, in-home detention, secure juvenile detention, these services are not available universally in all parts of the state, and it seems to me then that the dilemma that you face in reauthorization of the Act is do you soften the standards of jails, adult jails, or do you try to ensure that the alternatives are available throughout Iowa and throughout the state, the other states that are participating in the Act.

And I guess, you know, my feeling, and I think the feeling of the other people on this panel certainly, is that in view of the negative

impact of jailing children, clearly you need to try to assure that these alternatives are available throughout the state.

The issue of the violent offender was brought up earlier and I would like to respond to that briefly. I think in Iowa, that is—the violent offender represents a relatively small portion of the children that we deal with, but as the discussion earlier indicated, it is a problematical portion.

It seems to me that the answer to the violent offender in a state such as ours is twofold. First of all, the availability of appropriate regional juvenile detention facilities and, secondly, the implementation of appropriate detention standards, detention criteria, I should say, so that we are screening out the children that do not really need secured attention and are holding the children in secured attention that require that security.

When I operated the Linn County Juvenile Detention Center, only about twelve to fifteen percent of the children held there on an annual basis were held for violent types of offenses. The majority were being held for property-type offenses or relatively minor offenses.

So, the key, given the relatively small number of violent offenses committed by children in our state, I think the key is, first of all, the availability of secured attention and, secondly, the implementation of appropriate detention criteria to assure that detention beds are available for those children that need them.

Finally, I guess I want to add my voice to those who want to support the reauthorization of the Act and as I indicated earlier, my primary concern is that any amendments be focused towards assuring that both secure and non-secure alternatives to jail are available throughout the states that participate.

Thank you.

[The prepared statement of William P. McCarty follows:]

TESTIMONY OF WILLIAM P. MCCARTY

First of all, I want to thank the members of the Committee for giving me the opportunity to speak to you regarding reauthorization of the Juvenile Justice and Delinquency Prevention Act (H.R. 1801). I have spent the past eighteen years working in Iowa's juvenile justice and child welfare systems. As such, I believe that I am uniquely qualified to comment on the impact of the J.J.D.P. Act on services in our State.

I am currently Executive Director of Youth Homes, Inc., a private, non-profit child welfare agency, based in Iowa City, Iowa. Youth Homes operates an emergency shelter care home, a residential treatment center, an independent living program, and an in-home detention program. My previous experience has been as the director of a county juvenile detention center and emergency shelter care facility, as the county coordinator of delinquency prevention services, and as a state juvenile parole officer, I hold a Master's degree in social work from the University of Iowa.

In Iowa, the J.J.D.P. Act has had a very significant impact upon the procedures for dealing with both delinquent and runaway youth, and upon the services available to help such children. As with any major piece of legislation, the effects have been both positive and negative. In my judgment, the impact has been predominantly positive.

The negative aspects of the Act revolve primarily around difficulties in complying with the limitations on use of adult jails for holding children. I am sure you have heard and will continue to hear many complaints of this nature. Without question, these provisions of the Act impose hardships and inconveniences on law enforcement and juvenile authorities, particularly in geographic areas where alternative services are inadequate or unavailable.

On the positive side, the use of jail for the detention of children has been virtually eliminated in Iowa, and a plethora of new programs and services have been devel-

oped to meet the needs of runaway and delinquent children. I am a co-founder and past president of the Iowa Shelter and Detention Association, an organization of nineteen public and private agencies which provide alternatives to jailing children, including secure juvenile detention, emergency shelter care, in-home detention, emergency family foster homes, etc. Virtually without exception, these agencies were founded, or their services expanded, by J.J.D.P. Act grants, or by those of its predecessor, the Law Enforcement Assistance Administration. The agencies that provide these services, though located in Iowa's larger cities and towns, typically serve large geographic areas which usually include surrounding counties and, sometimes, whole quadrants of the State. These are proven, successful programs. Where adequate alternatives are available, and local authorities are committed to using them, the use of jail for detaining children has simply become unnecessary.

The dilemma, of course, is that sufficient alternatives are not available in all parts of the State. By "adequate" or "sufficient" I mean a continuum of alternatives, including secure juvenile detention and a variety of non-secure programs, all of which are available twenty-four hours a day, 365 days a year.

The policy decision that faces the Congress is whether to soften the restrictions on the jailing of children, or to attempt to assure that adequate alternatives are available in all geographic areas. In the face of the known damaging effects that jailing has on children, and the rapid growth and success of this relatively new system of alternatives, the answer, it seems to me, is clear. The Act must be reauthorized, and any amendments must be directed toward expanding proven programs, so that a continuum of alternatives to jail is available throughout Iowa, and each of the other participating states.

Mr. KILDEE. Thank you very much.

One question. My three teen-agers from time to time help out at a place called Christ House in Alexandria, Virginia, right across the river from Washington, D.C., feeding homeless people, and from time to time, I accompany them to Christ House and I have noted the last year and a half a larger number of what appear to be high school aged people showing up for that meal around 6:30 in the evening.

I guess I say that and ask that because there seems to be an increasing number of chronic runaways who are themselves in the category of what we now call the "homeless".

Do you find that much in your work with people like this who are not just occasionally a runaway but maybe are borderline homeless or chronic runaways? Do you find much of that in Iowa?

Mr. SWAIM. I would say that there is probably less of that in Iowa than you will find around the country right now. I think in Iowa City, though, there are growing numbers of young people who show up at the emergency housing project, which is designed really as a transient shelter, an adult homeless shelter, and there are more and more young people showing up there.

I think, given that the current Act has a focus that specifies chronic runners as a particular thing to look at, it would be important at this point to take a look at whether or not an additional focus should be given to homeless youth that are showing up oftentimes at adult shelters.

In Iowa City, the adult shelter will not take somebody under eighteen. So, again, they will end up calling us to try and get those young people in a setting for them. However, if they are with their parents, that is really inappropriate for us to be involved in.

Mr. KILDEE. You probably see it more in the larger cities, runaways very often tend to go to the larger cities. One of the first—the first bill I ever had passed in the Congress was a bill on the use of children in pornography, and I traveled to New York City and to Los Angeles. You will find a large number of children tend to go to

the larger cities, very often they are very easily exploited there, too, in the larger cities.

What percentage of the children who come to your facilities are returned home, usually not to reappear then?

Mr. KELLY. In our residential program?

Mr. KILDEE. Yes, right.

Mr. KELLY. In our residential program, which is again separate from our day treatment program, about seventy percent would be returning to their parents. The remainder would be going into oftentimes some type of foster parent care, possibly some additional group care because our program tends to be a rather intensive residential treatment-type program.

Mr. KILDEE. And the people who come to your place, Earl, are referred by?

Mr. KELLY. The Department of Human Services and the Juvenile Court.

Mr. HAMMOND. Our percentage for our residential program would be roughly equivalent to Earl's facility. It may not be quite as high because our residential programs are geared towards older adolescents, and many of those kids may go on to a long-term group home, low-structure group home, or independent living.

Mr. SWAIM. Our experience is the same. Really, almost all of the voluntary kids, that is those kids who show up voluntarily, return home, except those kids who you described earlier, who are leaving a threatening situation, and in that case, those kids begin to get services from the state that help protect them from abuse.

Mr. MCCARTY. Yes. In emergency shelter and detention, the percentage of children who go home directly from those programs is somewhat less than the treatment programs because those children are by and large entering into the system and many of them will be going into some other kind of program before they go home.

Mr. KILDEE. Just one further question. Do you have any statistics on how many of those people you serve, those young people, come from single parent families?

Mr. HAMMOND. It would be disproportionately high. We do not have specific statistics on what the ratio would be, but just my general experience, I think you would see a disproportionately high number of kids coming out of single parent homes. Many times it is the case where the single parent has to try and hold down a job and work and simply cannot hold the family together.

Mr. SWAIM. In our case, at UAY, if I count all of our counselling that is done, the 300 which includes some young people who are not runaways, we just finished a statistic, and I believe it was in excess of sixty percent are from single parent households, which kind of surprised us. We did not really think it was that high.

Mr. MCCARTY. Yeah. That has been my experience as well. The majority are from single family.

Mr. KELLY. I would agree with that.

Mr. KILDEE. Tom.

Mr. TAUKE. Thank you, Mr. Chairman.

Jim gave us a pretty good run-down of where he gets his money to run the programs.

Could the rest of you give us a brief indication of where the funds come from to run your programs? Earl?

Mr. KELLY. Yes. The funds that operate Orchard Place, not the day treatment program, essentially come through a purchase of service contract with the Iowa Department of Human Services, and, in turn, I think we get about—I think the current per diem rate is around $64.36 a day. Our costs are about $74–$75 a day for per—on a per diem basis for a youth in residential treatment.

So, that gives us a shortfall which spread across seventy-eight youth and residents very quickly adds up. So, we are very concerned as many other providers are in this state regarding what will occur with child welfare in the future. For the day treatment program, then, we have—we receive funding from the Iowa Department of Human Services as well as Polk County Health Services, plus our O.J.J.D.P. grants.

So, we have three funds which generate the revenue for the PACE Program.

Mr. TAUKE. How are you making up the shortfall now?

Mr. KELLY. Right at this point, we are having to use our reserves for the residential treatment program to balance our budget and, increasingly, that will be a problem for providers in the future.

Mr. HAMMOND. Our funding is very similar. Our primary source of income for our shelter program and our residential program is the purchase of service contract with the Department. The rates for the reimbursement are extraordinarily low in order to meet adequately the needs of the kids.

As I mentioned earlier, we are forced to start youth care staff at under $11,000 a year, and that is a very demanding work. If they were going into the teaching profession, they would be looking at $18,000 a year in Iowa. It is very difficult to recruit quality staff and then hang on to them.

We do receive other monies, but, by and large, it is not nearly as significant as the reimbursement received from the state. We try to take the attitude that we are in a partnership with the state and federal governments in caring for these children, and we are willing to do our share, but the funding has become increasingly precarious and our shelter program, even though it has only been open six months, is already running a deficit and we are already having to look at where can we get additional funds.

Mr. KILDEE. Regarding Stinger missiles, the Government would probably provide more money for personnel costs.

Mr. HAMMOND. If we became a military academy, maybe we would be better off.

Mr. MCCARTY. Our sources of funding are similar. Our primary source of funding is purchase of service contracts with the Department of Human Services. We also are using Juvenile Justice and Delinquency Prevention Act funds to start-up our in-home detention and also to improve the quality of our services in our shelter care program.

We also receive a small amount of private funds locally from United Way and other sources, and we also get an amount, about ten percent of our budget, from the county directly.

Like the other agencies, my agency is increasingly financially distressed. In fact, when I took the agency over about fifteen months ago, it was virtually bankrupt, and we have just been

through a very difficult financial time and we anticipate that we will continue to face those kinds of problems.

Mr. SWAIM. You know, though, one of the things that struck me a couple of weeks ago, I was in Washington with Congressman Nagle, and he was telling me how much money we spend sheltering the Galileo Project on the ground. That is the project that was supposed to be launched.

He quoted to me that we are spending a couple of million dollars every few days keeping that safely protected here on earth, compared to the $23 million that we spend annually on about a million runaway and homeless youth.

So, you might try and use that on one of your——

Mr. KILDEE. I will.

Mr. TAUKE. The staffing issue is one that has arisen in some of our discussions about dealing with the problems of juveniles and you brought it up a couple of times now, that you pay $10,900 for starting staff, I take it.

Is staffing a problem for all of you or any of you? Are you able to get qualified people? Do we need to do something in the area of training for those who are involved in these kinds of programs? Could you speak to that?

Mr. KELLY. It is a major problem. Again, the paradox is that those are the people who are in the trenches much like a nurse in the hospital. In our settings, we have B.A. level trained staff who are working with the youth around the clock. These people are very seriously under-funded as well consistent with what Garry said, although there are variations between programs in terms of what can be allocated for these important staff people.

But it seems to me that that is the very staff that will determine the success of treatment and the individualization of treatment while the child is in the group care. We think that it is cyclical. If the economy is down, if the job market in the private sector tends to be constricted, then there is a greater availability of other personnel, and, of course, for all of our agencies, that is an important area because we want to recruit the very best people and these people are very critical for our settings.

But we, too, see an issue in regard to recruitment and retention of personnel.

Mr. TAUKE. How long does your average staff person stay with you?

Mr. KELLY. Probably on the firing line, maybe two plus years.

Mr. TAUKE. Any of the others of you have comments on staffing?

Mr. SWAIM. A lot. In Iowa City, a starting meter enforcement person, somebody who enforces the parking meters, makes $3,000 more starting than our youth care workers after two years.

Mr. TAUKE. What do the youth care workers after two years receive?

Mr. SWAIM. $14,000 or $15,000 a year. My comment on training is that, within the Runaway and Homeless Youth Act, you fund not only basic centers and then also the hotline and some money to discretionary grants, but you also fund networks and here in our regional network, that network provides free training for those line staff that Earl talked about.

There is a lot of training opportunities available for line staff, but they cost $200, $300 or $400 a shot. So, the regional networks do a tremendous job in providing training to line workers.

Mr. TAUKE. The availability of training is not the problem?

Mr. SWAIM. No. The availability of funding to pay for that training or subsidized grants.

Mr. TAUKE. Okay. That is important for us to understand. Now, let us say you have a job opening tomorrow.

Mr. SWAIM. I do.

Mr. TAUKE. How many applicants are you likely to get or do you have to go out and recruit?

Mr. SWAIM. We go out and recruit. We will get—our last—we had four openings in September, partly because of the federal support we were starting to get. We had about fifty applicants and in my view about twenty of them met the minimum that we were looking for, which was discouraging. We really thought that we were paying a reasonable salary.

An interesting comment. Most of them said that they were attracted to our job because we paid more than the standard, and I was feeling guilty about what we were starting them at.

Mr. HAMMOND. In Dubuque, it is very difficult for us to recruit qualified people. The issue is not so much training, it is retention once you have got them trained. We have trained quite a few staff and then we lose them to public sector because the public sector pays fifty percent higher than what we pay. So, we train them——

Mr. TAUKE. By public sector, by that you mean?

Mr. HAMMOND. Department of Human Services. Iowa Department of Human Services. So, we will hire someone who is fresh out of school with a Bachelor's Degree. They will work for us for a year, get a lot of training, then they double their salary with the Department of Human Services.

Mr. MCCARTY. I would also like to comment on this area because I think probably my agency situation is the most pathetic.

Mr. SWAIM. We would certainly like to hear from you, Bill.

Mr. MCCARTY. My agency's salaries are always at the very bottom of the low scale that we all pay. We pay our child care workers $4.20 an hour to start. We do not have too much trouble finding people initially, largely, I think, because of our location in Iowa City, where we have a student population and many recent graduates that are looking for the first job or are still in school, in many cases, and need to supplement their income.

However, retention is a huge problem of my child care staff, my direct child care staff. My senior child care person has been with us for less than a year. We turn over almost our entire child care staff every year, and training then obviously becomes a major expense and a major problem on an on-going basis.

So, it is a very big problem.

Mr. TAUKE. Your salaries are determined by your reimbursement rate from the state, generally, for services. So, when you are running a shortfall, that means lower salaries. I mean, that is a big component, I presume, of your costs?

Mr. KELLY. Probably eighty percent.

Mr. TAUKE. Eighty percent of costs—okay.

That is all I have, Mr. Chairman.

Mr. KILDEE. Thank you, Tom.

I want to thank the panel. You are literally on the firing line of these things and we want to stay in contact with you because whatever we do in providing some dollars, you make the programs work. So, I look forward to seeing you in Washington again at breakfast——

Mr. SWAIM. One thing to get back to Tom about. You had asked about youth participation on the state advisory groups. Susie Norbeck, who introduced you last year, who you thought did such a fine job, is one of the appointees on Iowa and she sends her regards to you.

Mr. TAUKE. If you are an example of what happens because of her, that is wonderful.

I, too, want to commend you for the work that you are doing and some of the very fine programs that you have and that we will be visiting this afternoon.

Mr. KILDEE. We will take a ten minute break and come back in ten minutes.

[Recess.]

Mr. KILDEE. The subcommittee will reconvene.

Our next panel will consist of Pat Hendrickson, Chief Juvenile Officer, Court Officer, Seventh Judicial District Court, Davenport, Iowa; and Senator Julia Gentleman, the State Senate of Iowa, a body in which I served in in Michigan at one time; Sergeant Dale Patch, President of the Iowa State Policeman's Association, West Des Moines, Iowa; and Alan Allbee, Juvenile Court Referee, the First Judicial District Court, West Union, Iowa.

I would like to call attention to the fact, too, we have Lt. Governor of the State of Iowa, Joann Zimmerman, present. A very dear friend and a counterpart of yours in Michigan, Lt. Governor Martha Griffin, who yields a very tough gavel and keeps those thirty-eight Senators well in line in the Michigan Senate.

Okay. Our first witness then will be—how do you want to start? Dale, you want to start first?

Mr. PATCH. That is fine by me.

Mr. KILDEE. Okay.

STATEMENT OF SERGEANT DALE PATCH, PRESIDENT, IOWA STATE POLICEMAN'S ASSOCIATION, WEST DES MOINES, IA

Sergeant PATCH. Well, with the Chair's permission, I would like to just read in my opening statement and then answer any questions.

Mr. KILDEE. Sure, fine. Very good, Dale.

Sergeant PATCH. I have been requested by your committee to present the Iowa State Policeman's Association's concern with the federal Juvenile Justice and Delinquency Prevention Act.

I am a sergeant for the Des Moines Police Department. I am assigned to the Uniform Division, and as such, I frequently encounter situations on the street which involve juveniles.

On July 1st, 1987, the Iowa Legislature enacted Senate Bill 522, which substantiallanged the arrest and detention procedures for juveniles. This legislation was a reaction to a federal court judge's

order which mandated that the State of Iowa comply with the provisions of the federal Act.

The cumulative result of both the federal and state legislations have been to create a grave disparity between the rights of delinquent juveniles and the right of the public to be safe and secure.

I have presented the Association's views before several state advisory councils and the state legislative committee, and I have attached the position paper that I presented to those committees and councils, which includes a two-page memo, which has our conclusions and recommendations, and then another attachment, which includes our reasoning why.

For the—in the view of the Iowa State Policeman's Association, the following proposals would assist law enforcement officers in handling delinquent juveniles as well as protecting the public's right to be safe and secure.

Number 1. Relax the stringent restrictions on detention of delinquent juveniles in adult detention facilities when the detention will not exceed twenty-four hours.

Number 2. The restriction on the standard metropolitan statistical area fails to take into consideration the lack of adequate juvenile detention facilities. Therefore, we recommend that the restriction be removed until adequate facilities are in place.

Number 3. This is probably the most important one to us. That the penalty for non-compliance with the Act should be limited solely to withholding future funds. Actions for contempt are inappropriate in our view.

The current status of the Juvenile Justice and Delinquency Prevention Act's cumulative effect is inequitable and the Iowa State Policeman's Association respectfully requests consideration of our proposals.

Thank you.

[The prepared statement of Sergeant Dale Patch follows:]

Date: 4 December 1987

To: Subcommittee on Human Resources

From: Sergeant Dale Patch, President
Iowa State Policemen's Association
25 E. First Street
Des Moines, Iowa 50309

Re: Proposed amendments to Title 42, Juvenile Justice and Delinquency Prevention of the U.S. Code.

I have been requested by your subcommittee to present the Iowa State Policemen's Association's concerns with the Federal Juvenile Justice and Delinquency Prevention Act. I am a Sergeant with the Des Moines, Iowa Police Department, assigned to the Uniform Division. As such, I frequently encounter situations on the street which involve juveniles.

On 1 July 1987, the Iowa State Legislature enacted S.F. 522 which substantially changed the arrest and detention procedures for juveniles. This legislation was a reaction to a federal court judge's order which mandated that the State of Iowa comply with the provisions of the federal act. The cumulative results of both the federal and state legislations have been to create a grave disparity between the rights of delinquent juveniles and the right of the public to be safe and secure. I have presented the association's views before several state advisory councils and I have attached our position paper to the state which includes a two page memo stating our conclusions and recommendations along with another attachment explaining how we arrived at our recommendations.

It is the view of the Iowa State Policemen's Association that the following proposals would assist law enforcement officers in handling delinquent juveniles as well as protecting the public's right to be safe and secure.

1. Relax the stringent restrictions on the detention of delinquent juveniles in adult detention facilities when the detention will not exceed twenty-four hours.

2. The restriction on Standard Metropolitan Statistical Areas fails to take into consideration the lack of adequate juvenile detention facilities. Therefore, we recommend that the restriction be removed until adequate facilities are in place.

3. That the penalty for noncompliance with the act should be limited solely to withholding future funds. Actions for contempt are inappropriate.

The current status of the Juvenile Justice and Delinquency Prevencion Act's cumulative effect is inequitable and the Iowa State Policemen's Association respectfully requests your consideration of the above proposals.

Sergeant Dale Patch

attachments

TO: Criminal and Juvenile Justice Advisory Council.

FROM: Dale P. Patch
First Vice President
Iowa State Policemen's Assn.

RE: Conclusions and Recommendations of the Iowa State Policemen's Association regarding Senate File 522 of the 1986-87 Iowa Legislature. Juvenile Detention.

We, the members of the Iowa State Policemen's Association, feel that it is apparent and obvious that the current wording of the Iowa Code as changed by the enactment of Senate File 522 has created a grave disparity between the rights of juveniles, as a class, and the right of the Public to be safe and secure.

The recommendations of the Iowa State Policemen's Association regarding Senate File 522 are as follows:

1. That sub-section 8 of Section 805.1 of the Code be either repealed entirely, or, rewritten to allow the detention of juveniles for a number of exceptional circumstances. Law Enforcement has no desire to routinely or arbitrarily incarcerate juveniles for the misdemeanor offenses that this section applies to, but we must ultimately have that option to adequately enforce the laws.

2. That Section 903.1 of the Code be amended to allow Judges and Magistrates to order the arrest and detention of those juveniles who fail to pay court ordered fines, fail to appear on the charges, or fail to perform court ordered community service. Further, we feel that Judges and Magistrates should have the option of ordering the arrest and detention of chronic and habitual violators who continue to violate the laws without regard for fines or performance of community service.

3. That Section 232.22 of the Code be entirely rewritten to remove or relax the restrictions imposed on the detention of juveniles in an adult detention facility so that the rights of the juvenile offenders are correctly balanced with the rights of the public in a realistic and workable fashion.

4. That Section 232.22 sub-section 4 of the Code be amended to allow Judges or Magistrates to order the detention of juveniles in an adult detention facility for up to twenty-four hours in a facility serving an area determined to be a standard metropolitan statistical area as determined by the United States Census Bureau. And, further, remove the restriction that the facility must be certified by the department of corrections as being capable of both sight and sound separation pursuant to sections 232.22 and 356.3.

5. That Section 232.44 sub-sections 1 and 3 of the Code be amended to allow a "reasonable" amount of time for the hearing to take place after a juvenile has been admitted to an adult detention facility. And, further, to allow a "reasonable" amount of time to notify the child's attorney, parent or guardian, or custodian of the hearing date, time, place and purpose.

We strongly urge the Criminal and Juvenile Justice Advisory Council and other interested parties to join with the Iowa State Policemen's Association in recommending these very needed changes in the Juvenile Code to the Iowa Legislature.

It is your duty, and ours, to serve the public interests of the people of Iowa by rectifying inequities in the Juvenile Code so that the rights of juveniles are correctly balanced with the rights of the public in a realistic and workable manner.

I would like to express my appreciation to the members of the Criminal and Juvenile Justice Advisory Council in allowing me the opporunity to present the position of the Iowa State Policemen's Association regarding the Juvenile Detention Code.

Sincerely,

Sgt. Dale P. Patch

Attachment.

24 September 1987

TO: Criminal and Juvenile Justice Advisory Council

FROM: Dale P. Patch
First Vice President
Iowa State Policemen's Assn.

RE: Juvenile Detention Code
Position Paper

To members of the Criminal and Juvenile Justice Advisory Council and other interested parties. The following outline is the Official Position of the Iowa State Policemen's Association and its members regarding Senate File 522 of the 1986-87 Iowa Legislature.

I. Introduction.

A. We in law enforcement have been frustrated and exasperated with the burden of attempting to comply with provisions of Senate File 522 since its enactment.

B. Law enforcement personnel have been severely hampered in their efforts to deal with juvenile offenders and, at the same time, preserve the Public's right to be safe and secure as they go about their lawful activities.

C. Our overall goal is to modify, revamp, and repeal sections of Senate File 522 so that the rights of juveniles are balanced with the rights of the public in a realistic and workable fashion.

II. Senate File 522, Section 6.

A. This section mandates, under Section 805.1 of the Code, new sub-section 8, that a Peace Officer must issue a citation in lieu of arrest for a person under the age of eighteen years of age accused of violating a simple misdemeanor under the provisions of chapters 106, 106A, 109, 109A, 110, 110A, 110B, 111, 321 or 321G, and shall not detain or confine the person in a facility regulated under chapters 356 or 356A.

1. The Iowa State Policemen's Association position is that this new subsection should be either repealed entirely, or rewritten to allow the detention of juveniles for a number of exceptional circumstances. Law Enforcement has no desire to routinely or arbitrarily incarcerate juveniles for the above listed offenses, but we must have that option, ultimately, to adequately enforce the laws.

2. In its present wording, Section 805.1, sub-section 8, does not allow Law Enforcement Officials to adequately deal with a number of exceptional circumstances.

   a. The uncooperative juvenile who refuses to supply the Peace Officer with any information or the information necessary to complete the misdemeanor citation, i.e. name, address, date of birth, proof of age and identity, etc..

      1) We are currently experiencing the problem of some young adults claiming to be juveniles and not producing proof of age or identity.

      2) We are also experiencing the problem of juveniles giving false names, addresses, etc. and then do not show up for court.

      3) The Peace Officer has no right under this section to detain the juvenile nor demand that the juvenile produce any proof of identity nor provide any information what-so-ever to the Peace Officer.

   b. The juvenile who refuses to sign the "promise to appear" line on the misdemeanor citation.

      1) This leaves the citation in an incomplete legal state.

      2) The Peace Officer has no right to demand the signature and must release the juvenile on the spot.

   c. The juvenile who, after recieving the misdemeanor citation, continues to commit the violation after being ordered not to do so by the Peace Officer.

      1) Again, the Peace Officer is powerless to detain or confine the juvenile under this section.

   d. The juvenile who is a poor risk for showing up in Court.

      1) Has active warrants in the system, which the Peace Officer is powerless to arrest on.

      2) Statements or actions of the juvenile in front of the Peace Officer indicating that the juvenile does not intend to show up for Court.

         a) Tearing up the citation.

         b) Attempting to elude the Officer, High-Speed Chases, etc.

      3) Out-of-State juveniles living in States not participating in the reciprocity agreement with the State of Iowa.

e. The juvenile who has warrants for failing to pay court ordered fines or failing to perform community service ordered by the court or fails to appear before the court.

1) The Peace Officer has no authority to arrest these juveniles under this section.

f. Large groups of juveniles violating park curfew or other laws where the actions of the group indicates a threat to public safety.

1) When a group assumes a "mob identity" and anonymous perpetrators of violent or destructive acts cannot be individually identified or singled out it is sometimes prudent to enforce the misdemeanor violations to head off major problems associated with "mob behavior".

III. Senate File 522, Section 7.

A. Amends section 903.1 of the Code relating to maximum sentences for misdemeanants. It imposes restrictions on Judges and Magistrates for sentencing persons under eighteen years of age convicted of a simple misdemeanor under Chapters 106, 106A, 109 109A, 110, 110A, 110B, 111, 321 or 321G, or violation of a County or Municipal curfew or traffic ordinance. The options of the Judges and Magistrates is to fine the juvenile up to $100.00 or to order the juvenile to perform community service. Jailing the juvenile is not an option.

1. It is the position of the Iowa State Policemen's Association that this section should be amended to allow Judges and Magistrates to order the arrest and detention of those juveniles who fail to pay court ordered fines, or who fail to perform court ordered community service, or who fail to appear on the charges. We also believe that Judges and Magistrates should have the option of ordering the arrest and detention of chronic and habitual violators who continue to violate these laws without regard for fines or performance of community service.

a. The sentencing restrictions in Section 903.1 of the Code are fine for the juvenile who chooses to comply with the court ordered sentences, but meaningless to those who choose to ignore the sentencing orders.

b. We feel that it is in the best interest of public safety and the juvenile's "life education" to amend Section 903.1 of the Code as we have recommended.

IV. Senate File 522, Section 3. c.

A. This section severely restricts the detention of juveniles in a room in a facility intended or used for the detention of adults. This may be permitted only if all of the following conditions are met:

1. The juvenile has committed a delinquent act, which, if committed by an adult, would be a felony.

2. The child is at least sixteen years of age.

3. The child is determined to be an immediate serious danger to another person or the property of another.

4. A juvenile detention facility is unavailable or the Court determines that the child's conduct or condition endangers the safety of others in the facility.

5. The facility has an adequate staff to supervise and monitor the child's activities at all times.

6. The child is confined in a room entirely separate from detained adults, is confined in a manner which prohibits communication with detained adults, and is permitted to use common areas of the facility only when no contact with detained adults is possible.

B. It is the position of the Iowa State Policemen's Association that these restrictions are entirely too narrow to protect the interests and welfare of the public and the juvenile's family for a number of reasons.

1. The felony standard imposed in this section excludes a number of crimes and situations which, common sense would dictate, the juvenile should be detained and restrained.

a. Intoxicated juveniles who are not in a responsible condition and a parent or relative cannot be located.

1) This is particularily applicable to juveniles stopped for operating a motor vehicle while intoxicated.

b. Violent or intoxicated juveniles who are in an incorrigible state and cannot be handled by parents or guardians.

c. Uncooperative juveniles committing crimes less than the felony standard but refuse to provide any information, provide false information, refuse to provide proof of age, identity, etc..

d. The juvenile who commits a string of misdemeanors, serious misdemeanors, or aggravated misdemeanors. For example, a series of serious misdemeanor assaults which clearly demonstrates that the juvenile is a danger to society. Or, a series of vandalism offenses in which the total property damage would fall into the felony category if committed as one offense.

e. Juveniles who fail to appear in Juvenile Court for previous offense in the misdemeanor category.

f. There are many other reasons and examples I could list here but, in the interest of brevity, I will omit.

2. The age restriction of sixteen imposed in this section excludes a number of juveniles who are capable of and who do pose a serious danger to society and their families and puts the Peace Officer in a helpless position if a Juvenile Detention Facility is unavailable.

a. The juvenile under sixteen who commits a felony such as murder, rape, arson, etc. cannot be incarcerated or detained in an adult detention facility with no exceptions under the current language of this section.

b. All of the arguments made against the felony standard are also applicable to this section.

c. Common sense tells us that we should not release a juvenile who has just committed murder or another similiar offense simply because there is no Juvenile Detention Facility available, but under the current language of this section, we are to do just that or face the consequences for violating the law ourselves.

1) This is compounded if the juvenile refuses to provide any information to the Peace Officer.

3. The requirement that the child be an immediate serious danger to another person or the property of another also has several problems in our eyes.

a. This section requires that, in addition to all of the other requirements, that the Peace Officer be able to articulate that the juvenile is now an immediate serious danger to another person or the property of another by observing the child's conduct, habits or condition on the spot and does not allow the Peace Officer to arrest for felony or misdemeanor warrants.

b. This requirement, again, overlooks the uncooperative juvenile who refuses to provide information or proof of age and identity, etc..

c. This requirement improperly places the burden of proving that a juvenile may commit another act constituting a serious danger to another person or the property of another on the Peace Officer.

4. The requirement that a Juvenile Detention Facility be unavailable is easily met since there are an inadequate number of juvenile detention facilities currently in existance and no monies were appropriated to build any.

a. It would be ideal for law enforcement to have an adequate supply of juvenile detention facilities to handle detention of juveniles on any charge and thereby solve the problem of detaining a juvenile in an adult detention facility entirely.

1) This not being the case, it is imperative that a realistic and workable code revision be enacted to allow juvenile detention in adult detention facilities until an adequate number of juvenile detention facilities are in place.

5. The requirement that the adult detention facility have an adequate staff to supervise and monitor the child's activities at all times is a budgetary and logistical impossibility for most law enforcement agencies, especially the smaller agencies.

a. Currently, in order to comply with this requirement, law enforcement agencies have been forced to pull a Peace Officer off of the street and, assuming there is a private room available, watch the juvenile for the entire detention period in the facility.

1) It is easy to see that this is not in the best interests of public safety, especially in the smaller towns and jurisdictions where there may be only one or two Peace Officers on duty.

6. The requirement that the adult detention facility have a room to detain the juvenile that makes it impossible for sight or sound contact with detained adults is also a budgetary and logistical nightmare.

a. With budget cuts and restrictions in place across the State of Iowa it is very unlikely that an adult detention facility can comply with this requirement on an ongoing basis.

1) Most law enforcement agencies have all of the space in their facilities frugally occupied and remodeling or putting on additions to meet this requirement is simply a monetary impossibility for most jurisdictions.

C. The end result of this section is that Public Safety is taking a back seat to the rights of delinquent juveniles.

1. Peace Officers are severly incapacitated when juvenile suspects are involved due to the severely restrictive, unrealistic and unworkable wording of the code in this Section.

V. Senate File 522, Section 4.

A. This section imposes a time limitation for juveniles being held in an adult detention facility who do meet all of the requirements listed in Section 3. c. to six hours without a court order and up to twenty-four hours with a court order if all of the following occur or exist:

1. The facility serves a geographic area outside a standard metropolitan statistical area as determined by the United States Census Bureau.

2. The Court determines that an acceptable alternative placement does not exist pursuant to criteria developed by the department of human services.

3. The facility has been certified by the department of corrections as being capable of sight and sound separation pursuant to sections 232.22 and 356.3.

4. The child is awaiting an initial hearing before the court pursuant to section 232.44.

B. It is the position of the Iowa State Policemen's Association that this section imposes too many conditions for extended stays in adult detention facilities and that it adversely impacts public safety and the ability of law enforcement agencies to perform their duties in protecting the public.

1. I am assuming that the reason geographic areas constituting a standard metropolitan statistical area are excluded from extensions of the 6 hour limit is that these areas are assumed to possess adequate juvenile detention facilities.

a. It has been our experience in the Des Moines Metropolitan area that the juvenile detention facility, Meyer Hall, has been filled to capacity on numerous occasions and it is the only juvenile detention facility for the entire 18 county Fifth Judicial District.

b. This section does not take into consideration, the problem of inadequate juvenile detention facilities being in existance.

2. We have the same problem with the adult detention facility's capability of being able to provide a room to the juvenile offender which is capable of sight and sound separation as we have argued in our position of Section 3. c. .

VI. Senate File 522, Section 5.

A. This section accelerates the time period allowed between when a juvenile is admitted to a detention facility and when the hearing must take place from 48 hours to 24 hours in sub-section 1. of Section 232.44 of the Code. Additionally, it accelerates the time from 24 hours to 12 hours for notification service to the child's attorney, parent or guardian or custodian under sub-section 3. of Section 232.44 of the Code.

B. It is the position of the Iowa State Policemen's Association that the time periods imposed in this section are inadequate to allow staff workers to process the heavy load of juvenile offenders being sent through the system.

1. If the time periods are not met, the code mandates release of the juvenile from the detention or shelter care facility.

a. This seems to us that the rights of the public to be safe and secure have, again, taken a back seat to the rights of delinquent juveniles.

b. We believe a "reasonable" amount of processing time should be allowed rather than releasing the juvenile offender.

VII. Conclusions and Recommendations.

A. For your convenience, our conclusions and recommendations are listed separately.

Mr. KILDEE. Thank you, Mr. Patch.
Mr. Allbee.

STATEMENT OF ALAN ALLBEE, JUVENILE COURT REFEREE, FIRST JUDICIAL DISTRICT COURT, WEST UNION, IA

Mr. ALLBEE. Thank you, Mr. Kildee, Congressman Tauke.

I want to thank you a lot for the opportunity to address your subcommittee. I will try to keep my comments brief.

My perspective comes from being a juvenile court referee, juvenile court judge, if you will, for the past seven years. Also spent some time as an assistant county attorney in charge of juvenile court cases.

My experience is in a rural county, and from talking with Mr. Tauke's staff, that is what you wanted to hear about. You want to hear about the nuts and bolts, what actually happens out there, and some of it may be as unpretty and is not what you want to hear, and I have heard a lot of the people who spoke first talk about ideals and very enlightened matters, and I think that is great.

I think we judges, too, are strongly committed to the fact that we want to see children removed from jail. We want to see alternatives found, but also we deal with the kids on a day-to-day basis and we see some problems with trying to get this implemented immediately. We have got problems not only with our county boards of supervisors, our local constituents, also the legislature, and I think everybody has to open their ears and say, hey, this is a problem, we have got to get funding.

Our district, the First and Second both, greatly appreciate the money that they got through your subcommittee and this Act in trying to work toward a regional detention facility. Unfortunately, we have come to a road block now. We need to get additional funds. We have got the project started, but we need to complete it. We have got to get a building and get that completed.

I will explain to you from a practical perspective why we need it and why we need it badly. Iowa's nuts and bolts, and I am going to talk from a really practical perspective, because rural counties do not deal with a large number of juvenile cases, we do not have a lot of frequency, also we do not have a lot of resources available.

I think we may require some different treatment, and I do not mean to be begging off. We want to try to comply with it, but we may require some different treatment than what you are giving the metropolitan areas.

The passage of Iowa's Senate File 522 and the jail removal portion of that Act really did not have a great deal of effect for us. Since 1985, we have had a pilot project going where we did not jail juveniles. We just could not do it. We tried to use in-home detention, shelter care, juvenile detention facilities. We knew this was coming, and we wanted to try to beat that, to try and find these alternatives.

Unfortunately, we are running into some problems with that, and I want to try and explain those to you. We do, as judges, always try to use the least restrictive alternative available. If the child and the child's parents, after commission of an alleged illegal

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act, if we can send the child home, we certainly do. If there is some risk that the child may commit further delinquent acts or hurt themselves or others, we may use what is called in-home detention, and I think you have heard that talked about, where we require the child to be home when they are not in school, to be with their parents, to have probation and police officers, if available, keep close supervision on that child so they do not get into further difficulty, and that is usually an adjudicatory hearing and a dispositional hearing where we can decide what is going to finally happen with regard to that child.

If the parents, and this often happens, just are not able to control that child and probation and police officers with their limited resources are not able to keep good enough track of the child, we may have to use shelter care facilities. That is our next—certainly our next step. We want to use the least secure facility possible.

If that does not work and we just have no other alternative, we will use juvenile detention. Now, some of the problems that we locally are having with that, the nearest detention facility is ninety miles away. Transportation is, of course, a problem.

As referee, often times I make—it is funny. I am sitting between the police officer and the probation officer here. I have to referee between these two people because with their limited staffing, we cannot transport, I am sorry, can you not get the sheriff to, the sheriff says, well, if you make us transport and it is ten o'clock at night, we are not going to have an officer available for the county, there is going to be no effective law enforcement here. What if we have a car accident, what if we have a robbery? That is a problem. That is a real problem that we have.

I do not like to be put in that position, but often times I am. So, we have tried very hard to work that out. Probation transports when they can. If they cannot, the sheriff's department will help out.

But with a ninety-mile trip, you are talking three to four hours perhaps round-trip for that officer or that probation officer. So, that is a fairly long period of time.

The other problem we have is when we do use that detention facility, they are often times at capacity. If they have—if we have a child placed there, from our county, and their county residents need to fill the facility or would, our child is bumped out on twenty-four hour's notice. So, we have to go down and pick the child up, come back. So, that does create some problems for us.

I cannot say that I necessarily disagree with that. If a county puts the money forward in order to develop a facility, I think they should have some priority with regard to that, but that has created some problems for us.

The cost of the placement, detention, if we use the other county's facility, as I think I had last heard was a $135 a day, which is quite high, and, of course, our county supervisors are balking at that. They want to try to find a less costly alternative.

Also from a practical standpoint in keeping with due process and in the mandates of the law, we are required to hold a detention hearing now within twenty-four hours of the child's placement in detention. We are also required to give at least twelve hours' notice

to the parents. All right. This can lead to some real practical problems.

The old law required forty-eight hours' hearing and a twenty-four hour notice to the parents. That was, while it pushed us, we could certainly accommodate that. The twenty-fours and the twelve just put us in some pickles once in a while.

As I pointed out in my statement, we have a child who is placed in detention at six a.m. in the morning. Absent the parents being willing to waive notice or the appropriate twelve hours' notice, we have to hold a hearing before six a.m. the next day and after six p.m. that evening. The courthouse will be closed. We have no access to the Clerk's office, no access to secretarial or other help, and that does create some practical problems for us. It is not necessarily insurmountable, but it does create some problems in that respect.

I do think, however, we need to have as rapid a hearing as we can for those children who are detained. We have got to comply with due process. Hopefully, when I make a decision to put the child in detention, I have got pretty clear evidence, awfully clear probable cause, that a delinquent act was committed and there is no other alternative available to me.

All of this has led us to come to the point, well, maybe detention just is not our alternative in the short run and maybe we have got to find another one. We have considered, for one thing, to get a detention center closer to our area that could be used by a number of our counties. I think Gil Cerveny talked about this a little bit in the First and Second Districts.

We had gotten money through your subcommittee, funds in this Act, that allowed us to begin that project. For two years now, we have worked on a project to have a wing at the Bremer County Care Facility opened up to us that we could use for detention. As time went on, we have thirty-three counties that started in both districts to look at this project. When it came down to who was actually going to commit to it, only thirteen of those thirty-three counties committed, and then, when we got the bids back on the renovation costs, which were almost double what the projection was, everyone stood back and said, I do not know if we can do this.

So, we need some funding alternatives. We certainly appreciate the seed money that you have given us, but we have got to take the ball and run with it now.

If that does not work and I guess in the short-term, we are going to have to do something so we can get a child to hearing. Jail often times is not going to be available to us and that is not a good system anyway. If we can have some short-term holding facility in our county, we may look at that.

Some practical problems with regard to that would be having a facility available that meets standards and having someone who could come in on call to do that. That is something we need to work on, but that is a problem.

In another area, I guess I just wanted to touch on the runaway problem, and again I may not seem terribly enlightened, but in the rural areas, we do not see that large a number of runaway children. Once in a while, we will get some from Minnesota, Wisconsin coming through with stolen cars, their parents' car, that kind of

thing. And we need some short-term hold for them until we can either get their parents to pick them up or get the authorities from the other state or the other jurisdiction to come and get them.

I do not know if it is economically feasible or necessary that we have a separate facility for the runaways if we can use the shelter care facility, and I would, I guess, with the limited numbers of those as well, I certainly would like to see maybe our money would be better spent in doing that.

I understand everyone is trying to make a distinction between status offenders and delinquents, and I appreciate that, but from a practical standpoint, I do not know if the shelter care necessarily brands a child as delinquent. To some extent, perhaps the detention facility does, but if you have a child who is on the run, are we negligent if we do not do everything we can to try and keep that child securely there until the authorities or their parents can come get them? That is a problem I have.

Are we not doing what we have to do to make sure that the child is returned home or to the appropriate authorities? I just hate to see the child on the street. As I mentioned before, they often are. They are just constant chronic runners.

I would strongly recommend funding the Act again. In my short time that I have been a practicing attorney, dealing both in the criminal and in the juvenile areas, I think we need to straighten our priorities somewhat. I think if we can put more money and more emphasis in the juvenile court system rather than in the criminal court system, where it has been, I think we may save a lot of money and a lot of problems in the long run. If we can turn around and rehabilitate these juveniles while they are still under eighteen, we will not see near the problem that we do in the criminal court. We may not need a new prison.

Now, I am talking idealistically again, but I certainly hope that that is the case. The judiciary for a long time has put juvenile court kind of, you know, toward the back burner and that is unfortunate, but I think we need to turn that around.

When we get together at our juvenile court meetings, all the judges, we are all together and fired up and excited about it, but when you talk to the judges as a whole, I do not think you get quite that same enthusiasm.

I have complained and I trust that you understand why, but I think, too, judges have to be part of the solution, and I think that we perhaps in the past have not taken a good enough lead in trying to find community-based alternatives for these kids. I think the judicial leadership is lacking and we need to do that.

If there is anything I will take home with me and to my colleagues in the juvenile court would be that I think we need to do more in finding alternatives to jail, to detention, and to try to keep the kids home if we can.

[The prepared statement of Alan D. Allbee follows:]

ESTEY, ANTES & ALLBEE,
West Union, IA, December 2, 1987.

Hon. DALE E. KILDEE,
U.S. House of Representatives, Cannon House Office Building, Washington, DC.

DEAR REPRESENTATIVE KILDEE: Contained herein is my prepared statement concerning my comments and recommendations regarding reauthorization of Titles II

(Juvenile Justice) and III (Runaway and Homeless Youth) of the Juvenile Justice and Delinquency Prevention Act. My comments will reflect my seven (7) years of experience as a part-time Juvenile court Referee for a rural northeast Iowa county.

The goals of Title II of the Act to remove juveniles from jail and to foster community-based alternatives to institutionalization are admirable. Unfortunately these alternatives are not always available to small rural counties. I would strongly request that Congress consider the distinctions between metropolitan and rural counties and make reasonable allowances for different treatment where required.

In response to the dictates of the Juvenile Justice and Deliquency Prevention Act and Judge O'Brien's decision in the case of *Hendrickson* v. *Griggs, et. al,* the Iowa legislature adopted Senate File 522 which greatly restricts the use of adult jail for the detention of juveniles. The Iowa law, effective July 1, 1987, limits the use of jail for pre-adjudicatory detention of minors to those children age 16 and over, who are accused of a felony, who constitute an immediate and serious danger to another or another's property and in those instances where a juvenile detention center is unavailable or where the child would endanger the safety of others in a juvenile facility. [Iowa Code Section 232.22(2)(c).] Additionally, jail detention is available only for no more than twenty-four hours in a rural county (non-SMSA area) in advance of the detention hearing, requires sight and sound separation from adult detainees, and there may not be any less restrictive alternative placement available.

A detention hearing is now required by Iowa Code Section 232.44(1) within twenty-four (24) hours, excluding weekends and holidays, of the child's admission to a detention facility. Iowa Code Section 232.44(3) requires at least twelve (12) hours prior notice to the child and the child's parents of the detention hearing. Requiring hearings on such short notice does create difficulties for all involved. A child who is placed in detention at 6:00 a.m on Monday must be given a hearing by 6:00 a.m. on Tuesday, but no sooner than 6:00 p.m. on Monday, to allow time for the twelve-hour required notoce, Thus, the juvenile court ends up holding session after the County Court House is closed and without access to the Clerk's Office or secretarial assistance. While the need for reasonably prompt hearing after a child's placement in detention and proper notice to the child's parents are necessary to comport with due process requirements, the present law has impractical results. Prior Iowa law which required detention hearings with 48 hours of the child's placement in dentention and 24-hour prior notice to the child's parents was much more reasonable and still afforded proper due process considerations.

The purpose of Iowa Senate File 522 was to severely limit the use of jail for the detention of juveniles. Interestingly, however, the Referees in the rural First Judicial District of Iowa had, with the encouragement of Juvenile Court Services, since 1985 made it a practice not to jail juveniles. This pilot project was designed with knowledge that Iowa law soon would prohibit the jailing of juveniles in most instances. Thus, our rural counties did not see a great impact from the 1987 law on the number of juveniles jailed. Given we were committed not to use jails for detention, we were required to examine several other options: (1) juvenile detention facilities; (2) shelter care; and (3) in-home detention with intensive supervision by probation.

While I recognize that alternatives to the physically restrictive detention centers are favored, there do not exist those situations where detention is required. In rural areas because of our low population density we do not see a large number of serious deliquent acts involving danger to others (murder, rape, robbery, or arson). More often we see burglary, theft, criminal mischief, and operating a motor vehicle while intoxicated charges brought. Many times alcohol or drug abuse is a contributing factor to these acts.

Whenever possible we release a child to his or her parents after commission of a delinquent act. If the child represents only a limited danger to others or other's property and the child's parents have some control over the child, we place the child on in-home detention wherein the child is required to be in his parents home or in their company at all times not in school or employed with intensive supervision and monitoring given by probation and local law enforcement. Unfortunately limited resources available to probation supervision and the lack of appropriate parental control do not always allow the use of in-home detention. Where the juvenile cannot be released to his parents due to the lack of their ability to control the child's behavior, the next least restrictive alternative is shelter care. This is the non-secure institutional setting wherein trained staff monitor the child on a twenty-four (24) hour basis. These facilities are not locked and thus not capable of handling the chronic runaway. Neither are they able to handle serious behavior problem children. We have no local sheler facility and are required to transport children sixty (60) miles to another country's shelter care facility. Often times this facility is un-

available for our use because it is at capacity. These shelter care facilities do render to us a valuable service where detention is not required.

With some regularity, perhaps once every one to two months, we in rural areas are confronted with a child for whom neither in-home detention or shelter care is an option. These cases often involve what I would term children who are "out-of-control". They have not necessarily committed terribly serious delinquent acts, but are chronic repeaters without remorse or the initiative to behave appropriately. I have often seen young men who will burglarize a home, be released to their parents, and even before the adjudicatory hearing (two weeks later) to have committed two or three additional offenses. The child's parents are virtually helpless to control the child's behavior. The protection of the community and of the child from himself/herself dictates in such cases that detention be used. Unfortunately, detention facilities are virtually non-existant for our use. The nearest facility is ninety (90) miles away in Linn County, Iowa. This facility is available to us only if not in use by Linn County residents and requires removal of our detainees within twenty-four (24) hours of the facility reaching capacity with Linn County residents. Because of the distance to the facility and the fact the facility is nearly always full to capacity with Linn County children, our use of this facility is seldom a practical solution. Additionally, the cost of $135.00 per day for placement is prohibitive to our county. Our only other options for detention are Des Moines and Davenport, both over three hours away. Since the jail removal law was passed effective July 1, 1987, our use of Meier Hall in Des Moines has been drastically reduced since more Polk County youth must be placed there. Requiring a Sheriff's Deputy to transport a child to one of these distant facilities late at night has the practical effect of leaving our county extremely short-handed as respects law enforcement. When we are required to hold a detention hearing within twenty-four (24) hours of the child's placement in detention and the only detention facility available is four (4) hours away, the Deputy barely gets the child to the facility and returns to his office, and is again required to travel to pick the child up for the detention hearing. Detention hearings are required every seven (7) days after the initial hearing and compound the transportation expense.

The difficulties we have had in securing detention facilities resulted in our attempts over the past two (2) years to develop a detention facility within forty-five (45) miles through a cooperative effort of the thirty-three (33) counties of the First and Second Judicial districts of Iowa. The proposal finalized upon was to establish a ten (10) bed detention center in a wing of the Bremer County Care Facility in Waverly, Iowa. For a myriad of reasons from accessive distance to the facility to budgetary constraints, only a total of thirteen (13) counties in the two districts committed to the project. due to the lack of participation, the relative cost shares of the participating counties doubled. It was estimated that renovation costs to make the building suitable as a detention facility would be $150,000.00. When the bids were opened, however, the lowest bid was $250,000.00. This caused the few stalwart participating counties to balk on proceeding. Thus the two years of study and work on the establishment of the detention center has been to a large extent fruitless. Before plans for the facility can proceed, funding alternatives must be studied. There is no question that monies for the establishment of detention facilities designed to serve a number of rural counties coming from the federal or state government would be well-spent. The sharing of the facility by a number of nearby counties is advisable to keep the facility at or near capacity.

Our local county has recently renovated its jail to allow it to keep adult inmates after having been closed for several years because it did not meet state jail standards. Additionally, the County remodeled a very attractive room which could be used for the detention of juveniles or women. This room is entirely separate by sight and sound from adults. It is equipped with television cameras so that the child can be viewed and supervised at all times by the staff. The room is attractively decorated and would provide a cheery environment. Unfortunately, under the present state of the law, this room would seldom be available for the detention of juveniles and then only for a very limited time.

To a large extent any other type of community-based alternative may not be realistic for small rural communities. Because the need for detention occurs only once per month in a county such as mine, having a local facility and staff available only for detention makes little sense. The local Sheriff has the staff and facility already which would adequately serve the need.

Still because of the large distances from our county to various detention centers and the requirement of twenty-four (24) hour detention hearings, our county may be forced to provide some short-term holding facility. We have considered the use of a room at the County Home but have no person to adequately staff the room. It is

doubtful that without a substantial cost, the facility would meet State standards for detention. Federal assistance to develop new and innovative programs for the short-term detention of juveniles would be greatly appreciated if the detention requirements of the federal law are retained.

Two issues have arisen concerning when rural counties may use adult jail for short-term detention. The first involves in what instances is a detention center "unavailable" under the Iowa law intended to implement the federal requirement "that no existing acceptable alternative placement [is] available" [42 U.S.C. Section 5633(14)(ii)]. It is not clear to our authorities whether a long distance to the facility or the fact priority is given to children who are residents of the facility's county and we seldom have space available there, make the center "unavailable". If Congress is to give us no more definite standard, it is at a minimum necessary for the State of Iowa to more adequately define this standard of "unavailability".

The second issue is whether juveniles over whom the juvenile court has waived jurisdiction for prosecution of the child as an adult may be detained in an adult jail prior to sentencing. Most commentators believe based upon the Congressional record that juveniles waived to adult court may be placed in adult jails but must be separated by sight and sound from adults. Neither the Iowa law nor the federal act specify the legality of use of jail in such a case. Clear direction on this issue would be appreciated.

I am seeing a great number of juveniles "graduating" from the juvenile delinquency court to the adult criminal court. In many instances juvenile court and its services are not adequately treating and rehabilitating the youthful offenders. For many years the judiciary's priority has been with adult criminal court and adult correctional services. The juvenile court has always been required to take a back seat in the judicial system. This must be changed. If we can adequately turn delinquent youth into constructive, law-abiding citizens, we will have little or at least less need for the adult criminal system. A change in priorities is needed. I am constantly frustrated by the lack of services and placement alternatives we have available for juveniles. The juvenile court desparately needs resources to give intensive in-home family counselling to rehabilitate families as a whole and thus the child. Where those efforts fail due to the parents' inability to adequately control the child's behavior, we need strong, caring foster parents and available group home placements. A serious commitment is also required toward our State Training School to rehabilitate the physical plant and adequately staff the facility. The provision of sufficient bed space to allow the staff a chance to rehabilitate the child is needed.

Title III—Runaway and Homeless Youth has as one of its purposes "developing local facilities to deal primarily with the immediate needs of runaway youth, and their families, in a manner which is outside the law enforcement structure and juvenile justice system". This portion of the act restates the philosophy that we should make a sharp distinction between a status offender (runaway child) and the child who is alleged to have committed a delinquent act.

Several times each year we see children who run away from neighboring states, Minnesota and Wisconsin, who have taken either their parents' car or have stolen a car from a stranger. In both cases the children are risks to run further and technically both have committed delinquent acts. Still, seldom if ever, will a child's parents have the child prosecuted for the theft. Thus, under the present distinction between "status offenses" and delinquency, only the child who stole the car from the stranger could be held in secure detention. This distinction in such a case makes little practical sense.

There is no question in my mind that placing runaways in adult jails for any period of time is not appropriate. There is often, however, the need for a secure facility to house the child until the child's parents or authorities can take custody of the child or to assure the child's presence for future court proceedings. Provided a detention facility is adequately staffed, I believe such a placement may be appropriate in certain circumstances. I do not believe a child would be branded "a delinquent" merely by being placed in a detention center until a parent could take the child into custody. Nor do I believe the runaway's health or well-being to be endangered by such a placement.

To date I have seen no planning for, nor establishment of, a strictly "runaway" holding center in our vicinity. Nor do I believe one is necessary in our rural area provided the juvenile court has adequate shelter care and detention facilities available. It seems inadvisable from an economic point of view to establish a whole new set of shelters for runaway children. Thus, I would recommend placing the scarce financial resources more toward the establishment and staffing of juvenile shelters

and detention facilities to be used by all children, whether only status offenders or not.

With due consideration for my foregoing comments, I respectfully recommend reauthorization of Titles II and III of the Juvenile Justice and Delinquency Prevention Act.

Sincerely,

ALAN D. ALLBEE,
Juvenile Court Referee,
First Judicial District of Iowa.

Mr. KILDEE. Thank you very much. Pat Hendrickson.

STATEMENT OF PATRICIA M. HENDRICKSON, CHIEF JUVENILE COURT OFFICER, SEVENTH JUDICIAL DISTRICT COURT, DAVENPORT, IA

Ms. HENDRICKSON. Thank you.

I am the Chief Juvenile Court Officer for the Seventh Judicial District of Iowa. In Iowa, there are eight judicial districts. Referee Allbee comes from a large rural district; mine is probably geographically the smallest. It encompasses only five counties, three of which border on the Mississippi River. So, by Iowa's standards, we are probably an urban judicial district.

So, we do encounter different problems. Several of our judicial districts are exceptionally large. It takes hours to go from one end to the other. I do not have that problem. I can travel from one end of mine to the other in a little over an hour. So, the problems are different.

My written remarks focus on what this Act has done for my judicial district in the seven years that I have been in the judicial district, and I think those remarks are fairly explanatory. We have received a great deal of the money and have made a great deal of progress in the area of jail alternatives. Part of that was we were dragged kicking and screaming into that in Scott County because there was a class action suit against Scott County regarding the jailing of juveniles in that particular jail, because it was really tacky and unfit and there was a suit and a federal decree that Scott County would stop doing that.

Luckily for Scott County at that time, there was money available through the JJDP Act to operate and staff a new detention center. So, for three years, Scott County received extensive funds which were used to start-up and run what to this day remains a quality detention program.

I think it still holds the distinction of being the smallest detention center in the United States. It has a capacity of six. That has presented some problems for us since jail removal.

I can specifically speak to what Referee Allbee was talking about, we have a policy in Scott County at our detention center of first priority for county residents, second priority for judicial district residents, third priority, him.

So, the other day, we had a Dubuque youngster who was brought to us the day before and we gave our standard, you can have the bed as long as it is here. That bed was available for less than twenty-four hours and we were calling them and saying come get him. Well, you know, talk about people driving back and forth around this state, and to my mind, all the detention centers had

exactly that policy and there are only four in this whole state. So, it is a problem.

The other benefits we have received specifically from these funds have to do with new programming and you have heard some talk how in this state, a lot of the money has been used to develop or start-up what we view as new or innovative programs in the state, and then, hopefully, those programs will keep going because another funder will pick them up.

We have done that in our district with what we call the intensive supervision programs, and these are programs that deal with a very small number of youngsters but on a very intensive basis. Youngsters without whom this program, if it were not for this program, they are likely to be placed at either the training school or some sort of residential programming at a very extreme cost not only to them emotionally but, of course, to the taxpayers.

Each of those programs receive their start-up moneys through JJDPA funds. What happens then is you have a couple years' funding, you are able to establish a track record, some data as to how the programs work, and as Jim Swaim said, then your local funders look at that, you can present some facts to them and they do not think you are just talking pie in the sky, maybe it will maybe it will not. You do have some data to show we prevented this many placements, etc., and we have been able to get on-going continued funding for those.

What I like even better about these two programs, these are services that would normally be considered probation services. Something that we as government employees, probation is usually a government function, would be expected to provide.

In our case, we have contracted with the private agency providers, some of whom you saw here earlier. They are providing that service. So, what we have developed is more of a public/private kind of partnership, where we sub-contract for those services. It is kind of we are all in this together sort of a deal. It is not just a government function of us saying we are the only ones that can supervise delinquents. We have others now committed to, yeah, we can supervise delinquents, too, and maybe even do it better than you can, certainly probably more cost-effective than government.

It seems like government costs more to do almost anything than the private sector. Maybe because they only pay $11,000 a year for their youth care workers. That probably has something to do with it.

At any rate, I think one of the real benefits of that has been more of a sense of community involved with delinquent youngsters and youngsters who are viewed as problematic, and I think those of us—as practitioners, I was thinking about Justin, who is a little boy I had some direct contact this week, and I do not have much direct contact with delinquents in my administrative capacity.

Justin is your fourteen-year-old basic profile delinquent from Davenport. I mean, he is not unusual as delinquents go. He has been spending the week in our office because he was suspended from school. When you are on probation, you are suspended from school, we do not want you sitting home watching TV, so you have to come down to our office and sit during school hours and that acts, hopefully, as a deterrent because it is real boring down there.

Well, Justin sat there for most of Monday and decided he really had enough and our secretary called him on some behavior, he was doing something with a chair, and he—all I heard was a string of obscenities a mile long and slamming of the door. So, I left my office and just brought Justin back to my office and I told him he had to wait for his probation officer, and he sat there, I pretended to ignore him, you know, I am going to go on about my business and just let Justin sit, swearing. It just about drove me crazy, but he was just so angry and his probation officer came in and he unleashed another string of obscenities about how awful this was and he was not going to stay here a minute longer, but he did, and angry—the kind of delinquent everybody thinks about.

The next day, Justin is back because he is still not back in school. We gave him the assignment of decorating the office Christmas tree to kind—it took Justin the whole day to decorate the office Christmas tree, which is kind of tacky to begin with because it is second-hand from somewhere. He put it together all wrong. It does not have a top. The top is sticking out, but he spent the whole day.

Point, I am getting to the point, honestly. When he was done, he was so proud and we all came in there and he must have gotten 10,000 compliments about how wonderful this Christmas tree looked, and you could just see him pump up and become Eagle Scout material. Honestly, just by that. I mean, he felt so good from the anger the day before to here he was getting some positive reinforcement, felt good about himself. That is what we want for Justin. We want Justin to feel like that all the time because if Justin feels like that, he is probably not going to take your TV the next time he is in your house.

You know, now we do not need the federal Act to develop Justin's individual care plan, how do we keep Justin from taking your TV. We can do that at the local level, but what the Act does for Justin, I think, is establish a baseline, a bottom line of services, saying below this, you should not go. Justin does not belong in jail at age fourteen, and I truly believe he does not.

Justin belongs in the community, if at all possible, where he can receive treatment and services in his own community, where he has his identity and he has his family. I think, you now, bringing it down to an individual child's level, that is what the Act does for children throughout this country.

I spent a lot of years in San Diego as a probation officer. I can tell you that in my mind, Justin could exist in San Diego just as well as he exists in rural Iowa. You know, there are national problems requiring national attention to them, and I think the Act does that very well, and I would urge reauthorization.

Thank you.

[The prepared statement of Patricia M. Hendrickson follows:]

SEVENTH JUDICIAL DISTRICT,
JUVENILE COURT SERVICES,
Davenport, IA, December 4, 1987.

Hon. DALE KILDEE,
Chairman, Members of the Subcommittee on Human Resources, Committee on Education and Labor, U.S. House of Representatives, Washington, DC.

CONGRESSMAN KILDEE AND MEMBERS OF THE COMMITTEE: The comments that follow are made to support a strong recommendation for reauthorization of the Juvenile Justice and Delinquency Prevention Act.

As a juvenile justice practitioner for over twenty years, I have watched juvenile justice evolve from a system where children could be incarcerated simply for the misfortune of being born to inadequate parents to a system which treats delinquents humanely but holds them accountable for their actions. We're moving in the right direction, but we're not there yet.

The Juvenile Justice and Delinquency Prevention Act provides a national focus for efforts which must be made locally. The Act ensures that states who participate go through a planning and prioritizing process which might or might not occur without the Act. Scarce resources dictate that this process occur. We can't afford fragmentation, duplication of efforts, and throwing money at efforts which don't address problems or attempt to provide solutions.

I think I can best present my argument for reauthorization by reporting to you what this Act has done for my Judicial District in the past seven years. These are the local benefits received from a national program.

1. Development of a juvenile detention center, in-home detention program and 24 hour detention screening by Juvenile Court Officers.

In 1980, 1981, and 1982 my jurisdiction received JJDP money which provided for the start up and operating costs of each of the above programs. In spite of much initial local resistance, the programs proved successful and remain fully operational to date. Local officials as a group are committed to the philosophy that jail is not an appropriate option for delinquent children.

Currently we are receiving JJDP money to expand detention alternatives (in-home detention) to our more rural counties.

2. The development of two intensive supervision programs designated to keep children (who would otherwise be placed) in their own homes in their own communities. Several years ago JJDP funds were provided to initiate each of these programs. Both remain fully operational to date and are now funded locally. I will elaborate on each of the programs because they have characteristics unique to each of them.

(a) Family Resources, Inc. Intensive Supervision.—Run by a private, family service agency, this program targets children in the early stages of delinquency where multiple family problems are present. These children are candidates for out of home placement, not because of their delinquent behavior, but because of family dysfunction. The program focuses on improved family function which will eliminate the delinquent behavior. The children are usually younger adolescents, and there is likely to be a history of abuse or neglect with prior services by human service agencies.

(b) Valley Shelter Unified Delinquency Intervention Service.—Run by a private community agency, this program targets children who are to be committed to the State Training School for delinquent behavior. These children usually have multiple delinquencies and have not responded to regular probation intervention. Daily intensive supervision is provided as well as a focus on restitution, community service, and acceptable performance in an educational or vocational program. This program has such credibility with the local Juvenile Court Judge, that he insists on a screening by the program before he will send a child to the State Training School.

Additional benefits from both these programs include a public-private partnership in working with delinquents. Historically, probation services are seen as a government function. With the advent of these programs, private agencies, their Boards of Directors and others become invested in working with these children in our community. At long last we may be getting away from the long-held belief that if we "get these kids out of town" they will somethow "get better" by being away from family and friends.

In summary, I believe the JJDP Act provides a national focus to juvenile problems which necessitates a response, hopefully positive, from juvenile justice practitioners. The funds made available as part of the Act can generate creative and new responses to these problems on a local basis. Our experience has been that if these "Creative and new" responses are carefully designed and data shows that they do in fact address the problems (in our case, jail removal and community based care), local funders will pick up the cost and the programs will continue. The Seventh Judicial District if Iowa thanks the Congress for giving us the opportunity to contin-

ually improve our services to delinquent children. We, like other jurisdictions, haven't found all the solutions yet. Reauthorization of the Act will keep us moving forward.

Respectfully submitted,

PATRICIA M. HENDRICKSON,
Chief Juvenile Court Officer,
Seventh Judicial District of Iowa.

Mr. KILDEE. Thank you very much, Pat. Senator.

STATEMENT OF JULIA GENTLEMAN, STATE SENATOR

Ms. GENTLEMAN. Chairman Kildee and Congressman Tauke, I greatly appreciate being inserted into the program, thereby minimizing my legislative anguish of keeping my mouth shut all morning, and I am very grateful, indeed, that you, Congressman Kildee, are chairman of this committee because I like what I have gleaned of your philosophy in dealing with children and their importance. They so often take second considerations.

I know Congressman Tauke. He generally wore a white hat most of the time I served with him in the Iowa House.

Since I am a last-minute fill-in, you will have to forgive me for the testimony being somewhat disjointed, but my first impression was that you needed some sense of background in to where Iowa has been with this thing. I am getting the feeling that you think that Iowa's concern with juvenile justice began last year, with last year's legislation, and that is not the case. In fact, I am not sure why we had to do anything.

Iowa, as Ron Stehl said, has been in the forefront of this issue. Interim studies began in the summer of 1975, when I was a brand-new legislator. At that time, a good part, if not the majority, of the girls in our training center were there because of promiscuous behavior. The kids in Toledo, which is the juvenile home now for children in need of assistance, as well as the delinquent girls, the children in Toledo are housed—were kids who found school unrewarding and played hooky and they were often—and there were others, too, but they were often kept in a locked ward along with greatly-disturbed and delinquent kids.

Children were locked up without any court order or even court knowledge and left for weeks in legal limbo. One of the favorite jobs of the local probation officer, as I will recall, was, at parental request, coming out to one's home and routing sixteen-year old louts out of bed, so they would go to school. That was no longer possible when we passed the juvenile code revision in 1978, and we delayed implementation so it could be digested.

Controversy obtains and remains to this day. When we rewrote the code, we were speaking really in response to an effective coalition of people who were concerned with children as well as responding to a Supreme Court decision of Gault. Rather more that than to Congress.

But the existence of this Act is absolutely essential for us keeping in place what we have, and I see it more in terms of that than the wonderful money that comes down with it. Of course, the money, you see, gives clout. So, the legislature can say if you do this, we will not get that. It has been helpful.

Our revision of the code established clear-cut procedures for dealing differently with children in need of assistance who had been formerly the abused, neglected kids. Differently for which the children in need of assistance which I will call from delinquent kids. It extended due process to all children in the system, requiring counsel for those charged or for whom petitions were filed.

It established the least drastic alternative response. It excluded status offenders. It required bifurcated hearing systems which all these things had not happened before this, and there were a lot of hearing requirements. There were waivers required for transfer, established the juvenile court as court of jurisdiction and required waivers when kids were changed over to adult court, and then standards for that.

It established a rather interesting and innovative program or system called Families In Need Of Assistance, which recognized the fact that problem troubled children are not operating in a vacuum, but are often times the victims of family disorders.

Now, what happens with a falling out of conformity to—with the JJDP, we have to open up this whole can of worms again and that, I can assure you, was done with fear and trepidation because still the people are churning in certain localities, especially in my own. For some reason, the Des Moines community and, in particular, the Des Moines Police Department has been severely inconvenienced and has had from the beginning great problems with this Act.

I know well that they have problems because I have been the repository of a good deal of irate parental and others complaints and the phone call goes something like this, and it started back in 1979. I know of this kid in my neighborhood is breaking into so and so or doing such and such and I called the police and they said, we can do nothing, our hands are tied, because of the juvenile revision.

They say call Gentleman because she wrote it. So, they call me and I tell them that if a child has committed a delinquent act, that is what the law is supposed to get at and, in fact, the hands are not tied, the police have every right to pick up and should, every duty to pick up, they do not believe me. So, it has been a very frustrating exercise through the years.

I do not believe that we needed to make those changes last year because I think that this fine-tuning has gotten us into more difficulty and I certainly agree with law enforcement that changing the age—we had an age that you could jail kids and, mind you, when you put someone in jail under the old code, there were requirements, but our age was fourteen. Then, you tell us it had to be sixteen. I do want you to tell me why that, if that is, in fact, the case, that we cannot—we cannot jail in a separate setting with supervision, these are all requirements that our law spells out, had to be monitored, they had to be—there had to be a complete separate keeping of them, and the child had to be at least fourteen.

Now, it is sixteen, and I think that probably does cause some trouble because if part of the goal of the law is to protect society, surely we want to go after the dangerous or violent offenders and, Tom, you asked that question, and I think it ought to be age fourteen because there are fourteen-year-old murderers out there, and in many—as you have heard, in many of the rural areas, you have

no place to put them. I think we have gone too far in that direction.

Just very quickly. You asked the question, what would happen if you discontinued funding the Juvenile Justice and Delinquency Prevention Act, and I think we would begin to jail kids again because if we do not have that clout that says if we start to lock up runaways, and they wanted to do that, they wanted—every time we bring up the thing, it is a chronic runaway category that is conceived of, because there are kids out there that are in trouble and there is a recognition that we want to help everybody.

Unfortunately, you really cannot help everybody, but what is the chronic runaway? Well, the definition was a child who has run away three times and I cannot remember the period of time without permission for twelve hours or more. Well, that is idiotic. You cannot begin to put people in a system that in the main, despite all these goods and services we have, makes things worse rather than better.

So, I would hope that you would continue to offer the Iowa Legislature that very considerable clout as well as the dollars that flow down to us.

Mr. KILDEE. Thank you very much, Senator, for your testimony.

Let me direct this to you first, Dale, and the others may join in. Part of the purpose of the Juvenile Justice and Delinquency Prevention Act is to really force those who deal with juveniles, the police and other agencies, the courts, in a sense, to be innovative, to find alternative ways of dealing with them.

I think we have found instances where states did become innovative maybe only because of the Juvenile Justice Act. They were forced to be innovative.

Do you find that the restrictions in the Juvenile Justice Act on detaining youths, who have committed a crime, as opposed to status offenses, pose any real danger to the public, or is it more a matter of inconvenience and difficulty for the agency?

Sergeant PATCH. Well, the Federal act, I do not think is as detailed as the Iowa Code.

Mr. KILDEE. OK.

Sergeant PATCH. The Iowa Code, I would say, yes, in certain situations, it would cause a danger to the public. The main thing that we are trying to say with the 24-hour recommendation is, you know, let us just have that time to handle it and get them out of the jail system. We do not want to keep them there, and if, after 24 hours, we have not resolved it, we have not placed them back home or in a foster home or wherever they can go, shelter care, then the 24-hour period gives us that leeway, you know, and the sight and sound separation is really what the problem is in the Des Moines area anyway.

We have separate—you know, there is a solid wall between the adult bull pen and the juvenile bull pen, but, you know, it depends on how fine-tuned you get with that sight and sound, you know. For instance, we will have to walk the adult past that door to get them to the adult bull pen and then, of course, they can hear them if they are talking loudly or screaming like some of them do.

I do not think the intent of the Federal act was to get that finely tuned with the juveniles, you know. I think as a short-term stay

that allows us the time to handle it for any delinquent act, you know, it is to the benefit of the public and the kids and the families.

Mr. KILDEE. You say your problem as you see it is with the more restrictive aspects of the more recent state statute?

Sergeant PATCH. Yes, sir. I agree that it is not the Federal statute and that is why my recommendations are so minimal on that, but, overall, I think it is an attempt to comply with the figures percentagewise of keeping the juveniles out of the jail setting. That is why they made the restrictions so great.

So, indirectly, it does tie back into this act.

Mr. KILDEE. I talked, oh, within the last year or two with a gentleman from the State of Utah, and Utah is not exactly a bastion of liberalism. You know, it is a pretty solid conservative State, and they really have made the Juvenile Justice Act work.

They have been forced to be innovative. They have been forced to find alternatives. Now, albeit, I grant that it takes money and the amount of money that we give you is not very much—we have lessened the amount of money—we used to be up to $100 million; in the last 7 years, the Administration has asked for zero dollars and we have been able to maintain about $70 million. With Tom's help, we have been able to maintain that after the initial cut to $70 million.

So, it does take, you know, the expenditures of money. I think it is a combination of federal dollars, state dollars and maybe local dollars, however the state is constituted, but they have in Utah been forced to be innovative and have even in the rural areas, and Utah is very rural, found ways to carry out the mandates of JJDPA.

And what I can gather, the attitude out here in Iowa is that you really want to be innovative, but you see some particular problems without a certain variety of facilities existing.

Sergeant PATCH. Certainly. You know, I would have no objection to the act or anything else if we already had these facilities ready to go, then we would not have a problem about keeping them in adult facilities, because we would have plenty of the juvenile facilities available. That is our problem. We do not have them there. The cart is before the horse now and we are trying to struggle with that.

I do not think the public understands when they call the police and, like Julia says, we sometimes will have to tell them we cannot do anything with them, and especially with Senate File 522, that is true in more situations than before, than we could not do anything, at least what they expected us to do as law enforcement officers.

We are the first line, you know, we are supposed to come and settle the problem for them, and they see us releasing the juveniles and not being able to do anything temporarily in our adult facility because, you know, one of the standards in Iowa is that there has to be a felony before we can put them in there and the juvenile facility we have has got 18 beds or 19 beds, I guess it is, for the 18-county Fifth Judicial District.

So, you can see that they are going to screen out that pretty seriously so that the beds are there for the serious offenders and right-

fully so. But, in the mean time, we have got all those other levels of offenders that we are having problems dealing with.

I do not want to get into an argument about money because, you know, that is not my place, but certainly you are right, there is not been the facilities built.

Mr. KILDEE. Original sin of Congress, of course, is mandating things and not funding and that happens at state legislative levels, too, having served in that body for 12 years, I think that we really—any legislative body, whether it be at the Federal or state level, could do better following a mandate with the check that is required to carry it out. But we will try to do more on that.

Anyone else have any comments on that? Pat?

Ms. HENDRICKSON. Well, to follow up on that comment, our state advisory group, I think, has gone in on it. It is not the kind of money that comes in and it is not going to immediately give us all the services that we need in all different parts of the state, but we have been very careful to target those areas of the state and even to the point of identifying which counties use jails the most and targeting those counties for the receipt of the money that you send us, and I think to some extent, we had to be.

If we waited for all the services to be developed before this law was passed, they would never have gotten developed. It was sort of like Scott County, you know. Somebody had to say, you have got to do it and you have got to do it yesterday, and sometimes that is the way things get resolved.

I do not advocate to that all the time, but I think in this instance, I have a county in my district who is heavily using jail prior to July 1 and we thought the world was just going to fall apart if we could not use that jail following July. It has not. That county has probably only held three youngsters since July 1 and crime is not running rampant in that county.

We have got to evaluate that a little further and I do not want to make bold statements that there will not be any increase at all, you know. We are too short in the time frame, but I think we need to look at the situation and it may not be long-run as bad as we are thinking it is or some of us are thinking it is.

Mr. KILDEE. All analogy is limp, but I recall at times telling my one son, your room has to be cleaned up. He said, "Dad, it is really so disorganized now, it is going to take me all day". And then I will say, "Well, you can't watch TV tonight until you clean your room." It is amazing how innovative he gets in finding ways to clean that room up. So, very often, a little pressure does help those matters.

Let me ask you this. Has the rural exception been used, will it be used now that you have applied for it. Will that help some in Iowa? The rural exception?

Sergeant PATCH. On—to give them more time?

Mr. KILDEE. Yes. That is right.

Sergeant PATCH. Well, my concern is the opposite. For the metropolitan areas, apparently this act, from my assumption, I do not like to read into it——

Mr. KILDEE. This would be outside the metropolitan areas.

Sergeant PATCH. Yes, and there is restriction in Iowa for those standard metropolitan statistical areas. We cannot get an extension beyond 6 hours for dealing with this juvenile in the adult de-

tention facility. We get them placed in the juvenile facility or release them after the 6 hours if we cannot apply for the extension to 24 hours.

And, you know, I think that the distinction was made that the metropolitan statistical area would have adequate facilities, adequate access to the courts and that type of thing or it could be resolved more easily than in the rural setting.

But we are finding that that is not true because of our inadequate facilities.

Mr. ALLBEE. Congressman Kildee, if I might just comment on that. I do think that it may be used to some extent. However, because of the nature of the beast that can be placed there, that the child has to have committed a felony, we may not use it that much.

What I see more often, and this even goes to your first question about the danger to the community, we see the kid who is the chronic repeat offender maybe not necessarily always a felony but perhaps we have him picked up on a burglary charge, for instance, but we decide, well, with in-home detention, we can handle the situation.

Before the adjudicatory hearing, which may be one to two weeks down the road, he has committed two or three more delinquent acts. Could be an assault, could be a theft, maybe not necessarily big things, but he is a danger. He is somewhat of a danger and he is out of control. The parents have absolutely no control and probation and police officers with their limited resources are not able to put a tap on that child, and that is the child that we are going to have a problem with. He is not going to be placed in jail, probably could not be and should not be.

But we are going to need the detention facility. We are going to need one available to us in that instance, and I guess that is my cry.

Mr. KILDEE. Tom.

Mr. TAUKE. Let me try to get a little handle on some maybe pretty mundane, but, practical things. One of my objectives in this hearing is to get a better feel for what actually is happening out there on a day-to-day basis.

Suppose that you have somebody who is involved in some kind of an illegal activity and is picked up, arrested, by the police here in Des Moines or elsewhere in the state of Iowa, and the kid does not talk, does not have any ID, how do you determine how to handle them? They appear to be a juvenile. How do you determine whether or not somebody is a juvenile, I guess, is the question?

Sergeant PATCH. Well, that is one of the things that the Iowa Code poses for us, that I have testified before. We have had maybe a little bit of polarization there on interpretation, but from my standpoint, at least subjectively and from the city of Des Moines' standpoint legally, we are not going to arrest the misdemeanor, you know, who has covered navigational laws, traffic laws, that type of thing, if he does not give us any information, if he refuses to sign, so on and so forth. We are releasing him. We are not jailing him for that because of the wording of the Iowa Code. Not the Federal statute, but—because, indirectly, they are trying to keep juveniles out of jail to comply with this Act. So, that is why they passed those more restrictive standards.

For the more serious offenses, you know, we are going to hold them and we are going to find out who they are, but we do have a problem with some young adults claiming to be juveniles.

Mr. TAUKE. I was going to ask you that. If it works the other way around. How do you know?

Sergeant PATCH. Well, we do not, and, so, you know, of course, from a liability standpoint, the city is saying, well, if they say they are juveniles, do not chance it, you know, take their word for it, let them go. The worst that happens is they go on down the road and then they can point the finger back at the state legislature and say, well, it is their law, you know, so that is why we let them go, and, you know, I am just saying that I am not here to, you know, argue the point with the legislature, but let us try and get something constructive done.

Mr. TAUKE. Just trying to figure out what happens. Okay.

Now, suppose that you have——

Ms. GENTLEMAN. Can I just respond to that at this point? There seems to be—I am glad that the police department is as cautious as it appears to be, but there seems, I think, in the law, reasonable language because it says if they have reason to believe that a child has committed a delinquency act, and I am sure that the liability issue would not obtain if they were making a good faith effort to observe the law.

So, I am not sure that all this caution is warranted by the bill itself.

Mr. TAUKE. Let me talk a little bit now about the problem of the individual who is chronic. Suppose you have a juvenile who is spray painting the park bench. Maybe breaking a curfew in the park having a party. The police come, break up the party, but the kids go back into the park.

What do the police do at that juncture?

Sergeant PATCH. Again, under Iowa law, the park curfew has mandated that we issue a citation.

Mr. TAUKE. Okay.

Sergeant PATCH. You know, we would not take them down to the jail for that.

Mr. TAUKE. Suppose they keep going back? what's your alternative—

Sergeant PATCH. That is the problem we have. We are powerless to do with them what we need to do with them.

Mr. TAUKE. Alan, what would you suggest? Or suppose that they are spray painting stop signs or something in West Union, and you take them in, they go back out and they spray paint more stop signs in West Union. How do you handle that kind of thing?

Mr. ALLBEE. Again, we try the intensive in-home supervision. I would imagine that is about all we could do.

Ms. HENDRICKSON. Well, I think at that point, you know, if we are talking about a group of repeat offensives within a short time before they even get to court, we probably would look at bringing them into court for some sort of hearing because certainly they have endangered the property of others. There is a criteria for detention and we would screen that. We have a juvenile detention center.

Mr. TAUKE. Yes.

Ms. HENDRICKSON. So, of course, they could qualify for that.

Mr. TAUKE. The problem seems to then focus on the availability of juvenile detention. In West Union, your problem would be with the repeat or chronic offender. No facility available. That is the problem.

Mr. ALLBEE. That is right.

Mr. TAUKE. I mean, if the facility were available, you could take the person who has consistently spray painted the stop signs, let us say, and if the in-home detention did not work, you could put them in the facility.

Mr. ALLBEE. That is right.

Mr. TAUKE. Why is the state so slow in getting detention facilities?

Ms. GENTLEMAN. Money.

Ms. HENDRICKSON. There is disagreement about the number of additional beds needed, too. You know, there is some disagreement about how many additional detention beds we need.

I do not think there is any disagreement that we need something and something is underway in the First and Second Judicial Districts where Alan is from because there is nothing serving Waterloo, Dubuque, those fairly large areas.

Mr. TAUKE. This probably seems like an extremely naive question, but I am naive, I guess, so I will ask it. It just seems to me that it would be quite feasible to have a room in each courthouse in the state that could serve as a facility that would be adjacent to the sheriff's office or something.

Are the standards so difficult to meet that we are talking huge sums of money or what is the deal here?

Mr. ALLBEE. I do not know if they have been totally explored. We have a very, very nice room, attractively decorated, right in the sheriff's office, but because it is in the sheriff's office, they are separate buildings but they are attached, if you can understand that, and because they are attached, it is a jail and we cannot use it. But it is an attractive room. It would serve the purpose.

Mr. TAUKE. Under the state law, is this, or under federal or where is that problem arising?

Mr. STOOKEY. We had that——

Mr. TAUKE. Identify yourself for the record, please.

Mr. STOOKEY. I am Marvin Stookey, Des Moines Police Department.

We had that problem in our city. We had gone to the state jail inspector. He come down and observed our facility. Per se, the first two floors was not a jail. We had to come clear to the third floor, which is the abandoned maintenance ward, which we no longer have females there, and that being up one floor, we could determine that was a detention center for juveniles.

Once, per se, you say, jail an adult, that is a jail. That is the way the state jail inspector under the law——

Mr. TAUKE. Suppose I am in rural Iowa, okay, at the sheriff's office here. Could I have a room over here for the juvenile detention and a room over there for the adult detention?

Mr. STOOKEY. Again, that would be pursuant to the state jail inspector.

Mr. ALLBEE. I do not think we have—we have asked the state jail inspector. They have come. They have looked at it. We had a problem even jailing adults for one time but they finally got it up to standard there, plus the standards were reduced somewhat.

But the problem we had was that it is adequate for sight and sound separation, but we still must meet the state requirements because the building is, in fact, a jail, according to their standards.

Sergeant PATCH. If it is intended or used for the detention of adults, then it is classified as an adult detention facility.

Mr. TAUKE. OK. It just does not seem to me as if it should be that difficult to come up with some detention facilities. I would not think that we are talking about heavy bars and all kinds of special facilities that are going to cost huge sums of money. I am having a little difficulty grasping why this is such a challenge to the state and to local people.

You are spending $135 a day in transportation problems. I should think the supervisors would find it more feasible to find a room in the county facility some place.

Yes?

Ms. HENDRICKSON. I think part of it is that we are still doing a little county-State stuff because we have this little thing in the Iowa law that says the State shall pay up to 50 percent of the detention costs, and county boards of supervisors point to that every year and say, by gosh, get the State to kick in their 50 percent.

The State is kicking it. It is up to 50 percent. Every year, the State kicks in one-half of 1 percent. So, it is kind of this little battle over who is going to pay for these costs, that the counties keep saying that the State should pick up more of the tab and the State says the counties have the responsibility just like adult prisoners are and, so, we have never kind of gotten that ironed out as part of it.

Mr. ALLBEE. I guess we have also looked at it from the standpoint perhaps it would be better because we do not need it terribly often, 6 to 12 times a year perhaps in my county, that it would be money better spent for the counties to pool, to have a facility. It may be difficult to get someone who would be on call for staff in a small county who they may use 6 to 12 times a year.

It may be wiser to have the group band together, but, again, there is the problem that we are not getting the funding.

Ms. GENTLEMAN. But it is also a question of who belongs in a detention facility, too.

Mr. TAUKE. Yes.

Ms. GENTLEMAN. And when you change the net, then you are going to expand the requirements. There is something like 57 or 87 beds, detention beds, throughout these four facilities. Of course, Polk County has one of those as has been referred to, and, yet, the figures show that over half, I think something in excess of 3,000 kids, were put in the Des Moines jail here, even though we had this facility, which I do not think is full all the time, and will be less full, of course, as you begin to draw the line.

Your example of a spray painter suggests that that is, indeed, irksome and illegal behavior, but do you really want to unleash the full force of the law here and as Pat has pointed out, you can get them on property offense, you can lock them up, but perhaps we

are misplacing the emphasis on our really limited resources, not just in Iowa, but everywhere, and we should be focusing them more.

It seems to me the dangerous offender is one that needs detention and should be provided, and the children at a very young age should have the kinds of services that are in troubled families, but when you get to be somebody who is just defying the law at age sixteen and coming out and missing curfews and things, I am not sure what you can do about that in detention.

Mr. TAUKE. I am not sure either. That is why I asked the question. Let me just ask a final question and I know we are running late now, but the age issue.

We have been trying to shake our heads up here to try to figure out why you think that we have set the required age at sixteen.

Ms. GENTLEMAN. No. I was told that. I tried to change that during—for 2 years while we were debating this and they said—and, of course, I never ran it down, but they say, oh, that is the federal requirement. If you change it to fourteen, you will jeopardize your funds. It has to be sixteen.

Ms. HENDRICKSON. We know.

Sergeant PATCH. There again, I think they tried to reduce the numbers of juveniles that were eligible for the detentions so they could keep their figures down under that percentage.

Ms. HENDRICKSON. So we would not be out of compliance. That was one of the goals. If you put it at sixteen, not that it is a requirement of the act, but that Iowa law was going to get more restrictive because we were so far out of compliance with the act.

Sergeant PATCH. You know, that eliminates about half of the serious offenders who you take that 2-year span out from eligibility for detention.

Mr. TAUKE. So, then, what do you do with the 15-year old who commits a serious assault or rape or something like that?

Sergeant PATCH. The 15-year old is eligible for the juvenile detention facility.

Mr. TAUKE. OK, OK.

Sergeant PATCH. I am sorry if that was not clear. But if we do not have that bed available there, then we cannot take them to the adult detention facility, regardless of whether it is full, empty, whatever. We cannot take them there.

Mr. KILDEE. Practically, though, if you had someone guilty of something like that, could you not shift someone out who was a less offender?

Sergeant PATCH. More than likely that would be done by the juvenile court. The police could not do it.

Ms. HENDRICKSON. We do that all the time as a practical matter, and I think we would.

Mr. TAUKE. Well, this has been informative for me, Mr. Chairman. I hope it has been for you.

Mr. KILDEE. It has been very informative. I appreciate your testimony. I always welcome that.

Mr. STOOKEY. You have more hours.

Mr. KILDEE. But, you know, apparently there are some state rules on what a jail is and what a jail is not. I know there is a fed-

eral—I think we put in some statements or criteria of what a jail is or is not. So, I guess it is——

Mr. TAUKE. We might want to look at that.

Mr. KILDEE. We might want to look at that, too. I think the thrust of the bill and the violence thrust remains the same, that we really want to carry out the purposes, the philosophy, I think the realistic goals of the Juvenile Justice Act.

I think the purpose is very good, and we want to, obviously, not only in this area of Federal law, but in other areas, Federal highway funds for example put pressure upon the States to achieve certain goals.

When I was in the State legislature, I used to resent that more, but now that I am in Washington, I begin to see the wisdom of that. But I hope I can balance those two because we do recognize that ultimately the treatment of juveniles is really primarily a state responsibility, and no matter how long I am in Washington, I will not lose sight of that.

We want to be helpful to the State legislature while at the same time realistically, with that money, put a little pressure on to achieve certain goals which we feel do make sense. By going out and having hearings like this, we can see just how successful they may be and what problems should be addressed, and I think part of the—I think all the problems that are visited upon various states by the Juvenile Justice Act really could be resolved with dollars, no matter where the dollars come from.

I think this has been a wonderful hearing. I picked up some sensitivities and awareness and it has been very helpful to me, and I know Tom and I will be working on the reauthorization of this to try to factor in as much of the considerations that we can here, into the reauthorization.

I am going to end with a little quick story. We talked about Justin. I know I try to legislate in a sense that how would I want laws made for my own family, my own situation in various ways, but you mentioned Justin.

Justin realized that he had something he could do and that really helped enhance his own image. That is very, very important. I think the providers who are here have great roles. If you can get someone while that person is with you and help that person feel a little better about him or herself, that is extremely important.

When my first child was born, I kept telling my wife we have got to make sure he has a good feeling about himself, a very good feeling about himself. I probably overdid it a bit, telling my wife that, because I called from Lansing, the State capital, one day and I said, "How is David doing?" She said, "He has a very good feeling about himself today." But it is still important.

One other final story. My younger son—I have a daughter, Laura, who is 16, going on 20, and I have a son, Paul, my youngest. When he was about 9 years old, I was tucking him in bed one evening hearing his prayers, and as he finished his formal prayers, he said, "I love God, I love Mommy, I love David, I love Laura, and I love me." That is very important, really very important.

I think that as we deal with children, whether, directly as a judge or referee, as a policeman or as a provider, as probation officer, or as a legislator, that we try to keep in mind that if we can do

anything to help that person respect themselves more, they are more likely to respect other people.

When I first got elected to the State legislature, they put me in charge of the State prison system and I used to visit the State prison, the largest walled prison in the world, in Jackson, MI, and I realized very soon that most of the people were there because they did not like themselves. They really did not think they were very likable and very lovable.

And if you do not like yourself, you are not very likely to like someone else. If you do not respect yourself, you are not going to respect the other person's property or even their life.

But if you feel that you are worthwhile, that you have some dignity, some worth just by the very fact you are human, then you are more likely to respect other people's property, their lives and their rights.

So, I think all of us involved in work with juveniles are involved with something extremely important and if we can keep in mind that we can help those young people develop a proper healthy respect for self, then we are going to make them not only better persons in themselves, but they are going to be much better for the community in which they live and certainly less likely to hurt that community, but, hopefully, to help that community.

So, I think all of us are involved in a very important endeavor and that is good.

I preach towards the end, you see.

Again, I really want to thank all of you for your testimony. It has been very, very helpful, and I want to again thank Tom Tauke, it is a pleasure working with him. We sit down and we do share that view of human dignity which is very important as we legislate.

We will keep the record open for 2 additional weeks for testimony you may wish to submit or anything to add to your testimony. If you wish to submit some testimony, too, we will make that part of the record.

Mr. TAUKE. Thank you, Mr. Chairman, for coming to Iowa.

Mr. KILDEE. Thank you very much.

We will stand adjourned.

[Whereupon, at 12:22 p.m., the subcommittee was adjourned.]

[Additional material submitted for the record follows:]

NOVEMBER 13, 1987.

Hon. TOM TAUKE,
U.S. House of Representatives,
2244 Rayburn Building, Washington, DC.

DEAR CONGRESSMAN TAUKE: I was recently notified that the Subcommittee on Human Resources will be conducting hearings with regards to the Juvenile Justice and Delinquency Prevention Act. I wanted to offer to you some thoughts on the Act, mostly as reflections on my testimony before the Human Resources Subcommittee over two years ago, on April 4, 1985. Iowa has made significant progress since that time. It is important that the JJDP Act continue and begin a new agenda for refining and improving upon the reforms of the past 10 years. Specifically, I want to address three issues: deinstitutionalization of status offenders, jail removal and a juvenile justice agenda for the 1990's.

DEINSTITUTIONALIZATION OF STATUS OFFENDERS

As you know, one of the original mandates of the Juvenile Justice and Delinquency Prevention Act as passed in 1974, was to "deinstitutionalize" status- and non-of-

fenders. In essence, this mandate was a reflection of the philosophy that those children who did not commit any criminal act should not be held in a secure facility or institutional setting. The push for this reform was based on the values found in keeping the juvenile in the community and certainly within the home.

Here in Iowa, significant reforms based on this Congressional mandate were implemented via a new juvenile code adopted by the Iowa legislature in 1979. The evolution and subsequent discussion of that new code was characterized by intense emotion and controversy. Many of the emotions associated with this effort still exist within the state's two legislative houses today. Because of the lengthy debate process involved in drafting this new code, many have remained adamant and resistant to changing these reforms. In my opinion, this is unfortunate.

Since 1979, the Iowa juvenile justice system has evolved into a complex and intricate system of child care. Its driving philosophy has been that the "least restrictive alternative" for children in need of assistance, delinquents and families in need of assistance is the best policy to pursue for the parties involved. Consequently, Iowa has developed a vast network of child services ranging from numerous shelter care facilities, foster care homes and community based programs. Most of the impetus for expanding this network has come from the JJDP Act itself. Funds awarded to Iowa under this program have brought about the development of an elaborate spectrum of much needed child services.

Over the past several years, however, various individuals concerned with the welfare of our children have begun to examine the results of our state juvenile code and question its impact on the delivery of appropriate services to youth. What to do with chronic runaways and children who run from shelter care or foster care, has presented us with a dilemma. On one hand, state law prohibits restraining these children to assure they participate in the care or treatment provided. On the other hand, many argue that these children have committed no crime and therefore should not be subject to restraint. Research also shows that over 30% of those kids who run away from home are abused children. Obviously, these children should not be held in a secure setting. This provides policymakers and service providers with a challenging dilemma.

Use of "staff secure" facilities and how they may be utilized is an outgrowth of this debate and one option being explored as a result of federal initiatives. Other state and federal analysis of this issues have shed additional light on this continuing discussion. This is an area that needs further exploration. We must strive to find options that assure that this special group of children benefit from the vast array of services already established in this state without threatening the liberties of the child as well as the potential for successful treatment. This issue was intensely debated during the 1986 and 1987 sessions of the Iowa legislature. The discussion must continue.

During my tenure with the Iowa Criminal and Juvenile Justice Planning Agency, it became apparent to me that many key decision makers and local interest groups involved in dealing with these youth did not understand the current state policy with regards to status- and non-offenders. Consequently, informed and intelligent discussion of the issue was limited. The success of any reform effort requires that all parties involved be a part of the discussion and try to develop a mutual respect and understanding for positions held by others. In addition, the public needs to be informed on child welfare issues and play a larger role in the development of policy in this area. We should focus resources on training and education for ALL individuals who make up the juvenile justice system, including law enforcement, county attorneys, defense attorneys, judges, child service providers and others. Iowa's law enforcement officials have usually been left out of this process as have county attorneys and others. These offices in particular must have a sound knowledge of state juvenile justice policy. It is the responsibility of state leaders to articulate this policy to these offices and provide technical assistance wherever possible.

The JJDP Act has resulted in the states confronting the issue of how to deal with status offenders. The changes brought about by the deinstitutionalization mandate have been valuable changes, especially when compared to the environment surrounding this population prior to the 1974 reforms. Certainly we should not "turn back the clock" with regards to this effort. But at the same time, this should not preclude an evaluation of these reforms and ways in which to improve upon them.

JAIL REMOVAL

As testified before you in 1985, the jail removal mandate of the JJDP Act at that time was proving difficult to implement in Iowa. I listed several barriers to success:

1. attitudinal barriers within local law enforcement and juvenile court offices.
2. resource barriers to developing alternatives to jail,

3. local procedural and logistical barriers to diverting juveniles from placement in jail.

In many regards these difficulties were inter-related.

In 1986 and 1987 two significant events brought Iowa into compliance with the JJDP Act's jail removal mandate. A lawsuit filed by a class of juveniles in the State brought a significant amount of serious attention to the entire juvenile detention issue. In April 1987, the Federal Court ordered the Governor of Iowa to prepare a plan which would bring the state into compliance with the jail removal mandate of the JJDP Act. A key component of this plan was the passage of a new state juvenile detention statute limiting the use of jails for detaining juveniles. Fortunately, the legislation was adopted, but not without controversy. This fall a legislative interim committee has heard the compliants from several law enforcement offices with regards to the new law. Based in these complaints, various sections of the law need to be clarified by the state General Assembly next session. Some are seeking repeal of the new statute. Those who are seeking repeal are being unrealistic. However, their concerns should be addressed. As of today, we are closer to compliance than ever before. And interestingly, most jurisdictions are finding that they can make this new policy work.

Based on research completed by Dr. R. Dean Wright, a Drake University Criminologist, and myself, several additional tasks need to be accomplished:

1. continued funding for the Juvenile Justice and Delinquency Prevention Act. To terminated funding this program will assure an end to the jail removal effort and potentially other reforms realized over the past 10 to 15 years,
2. training and education on the new law for law enforcement officers, county attorneys, and juvenile court professionals,
3. development of alternative programs which may be used at the local level,
4. consistency in federal and state juvenile justice policy,
5. study and evaluation of the entire jail removal effort which will serve as the basis for future policy development and refinement.

Many federal and state offices must be held responsible for implementing these tasks. The federal Office of Juvenile Justice and Delinquency Prevention must be held responsible for providing leadership on this issue. The Office must give priority to assisting states in achieving the goals outlined in the JJDP Act. That leadership must include clear articulations of guidelines in accordance with the policy adopted by Congress. In addition, OJJDP must be provided some reasonable level of resources in order to assist the states in training, education, development of alternative programs, and other needs. In accordance with this federal end of the contract the state's must also demonstate a major responsibility with regards to this issue. All states should continue to provide some of their resources for this reform effort as a demonstration of commitment. Those agencies administering the JJDP program should also be prepared to offer assistance to their state juvenile justice systems in implementing the jail removal mandate. This requires planning, evaluation of programs, assistance in overcoming local protocol or procedural barriers and training. Success will be achieved only by a truly cooperative spirit by the federal, state and local agencies involved.

AN AGENDA FOR THE 1990'S

Numerous experts across the country have described a changing juvenile population with consequences for the policy environment. In light of these changes, some have become overly cautious. It seems that those who were once "change oriented" are now at times "reactionary" with regards to further reform. I firmly believe that we can continue to seek change without threatening the successes of the past.

My work in juvenile justice and now, substance abuse, has afforded me an opportunity to identify numerous agenda items which we here in Iowa and prasibly those in other states, should focus upon:

1. Develop specialized programming to deal with juvenile populations with special problems. I have already alluded to the special needs of runaways in this state. In addition to this populations, Iowa is confronted with a significant group of youth who are difficult to place in existing juvenile programs. The serious violent delinquent who may also have a chronic chemical dependency provides a special challenge for our current system of services. Another specialized population is homeless children. These kids clearly have unique needs as children who have been forced from their homes for whatever reasons. This is growing issue here in Iowa and one that must continue to be studied.

2. Provide a renewed commitment to developing a reliable information system which will serve as the basis for studying, evaluating and monitoring the treatment of juveniles in the child care system. We here in Iowa lack a credible information

system for child care. It is therefore extremely difficult to analyse those issues of concern. Consequently, policy is developed in an "information vacuum" and those policies that are implemented are never evaluated to determine successes, or more importantly, failures. The U.S. Department of Justice should provide states assistance in developing state information systems and the Office of Juvenile Justice and Delinquency Prevention must be provided the resources to do so.

3. Develop methods to improve the administration of child services and the juvenile justice system in general. It is currently popular to call for administrative efficiencies and to identify ways in which traditional human service provider systems might become more efficient. Such talk may be considered prudent by some and for others it is a danger signal. The juvenile justice system is a complex bureaucracy. It involves numerous federal, state and local funding streams with overlapping goals. In addition, there is that age-old issue of the relationship between the juvenile court and the child service providers often located in the executive branch of government. Problems encountered in helping children may originate in administrative/structural issues.

4. Provide support for continued research in the area of juvenile delinquency, status offenders, child abuse, and child welfare in general. As we enter a new decade I think it is essential to proceed with informed caution. We know so much about kids and their needs and we need to share the research we do have on various child issues with decision makers and citizens. It is important, however, that we build upon this strong foundation of knowledge as we develop policy and new programs. Sharing what is known about juvenile crime and child welfare should be a priority for OJJDP and numerous other offices working to expand our knowledge base. It seems we know so much but not many people know about it.

The juvenile justice agenda for the 1990's should focus on this theme of building on our past successes. We should seek to refine those aspects of the juvenile justice system so that it becomes an improved system striving towards helping youth who are in need or in trouble.

In closing, I would like to leave you with one thought. Like any issue of national concern, leadership is a crucial element. At the state level, the Juvenile Justice Advisory Councils have no doubt played an important role in putting forth issues relating to juvenile justice and child care. They must be commended and encouraged to continue in their efforts. National leadership is also important. The National Coalition of State Advisory Groups must also continue to be involved in the development of future juvenile justice policy. Finally, individuals such as yourself who bring Congressional leadership to this issue, are to be praised. Without your genuine concern and the shared concern of Congressman Dale Kildee, our efforts in this area would be limited. I would urge you and the Subcommittee to maintain your energetic level of commitment to the Juvenile Justice and Delinquency Prevention Act and the child care agenda you create.

I remain . . .

Sincerely,

TIMOTHY BUZZELL,
Governor's Alliance on Substance Abuse.

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